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Per. 2333 d. 18
25(5).L7

JOURNAL

OF

THE HOUSE OF REPRESENTATIVES

OF

THE UNITED STATES:

BEING

THE THIRD SESSION OF THE TWENTY-FIFTH CONGRESS,

BEGUN AND HELD

AT THE CITY OF WASHINGTON,

DECEMBER 3, 1838,

AND IN THE SIXTY-THIRD YEAR OF THE INDEPENDENCE OF THE UNITED STATES.

WASHINGTON:

PRINTED BY THOMAS ALLEN.

1839.

JOURNAL

97

THE HOUSE OF REPRESENTATIVES.

CONGRESS OF THE UNITED STATES:

Begun and held at the Capitol, in the city of Washington, in the Territory of Columbia, on Monday, the third day of December, in the year of our Lord one thousand eight hundred and thirty-eight, being the *Third Session* of the **TWENTY-FIFTH** Congress held under the constitution of Government of the United States.

On which day, being that fixed by the constitution of the United States for the meeting of Congress, **JAMES K. POLK**, the Speaker, (one of the Representatives from the State of Tennessee,) and the following-named members of the House of Representatives, appeared, and took their seats, viz :

From the State of—

MAINE, - - -



NEW HAMPSHIRE, - -

MASSACHUSETTS, - - -

RHODE ISLAND, - - -

CONNECTICUT, - - -

{ Hugh J. Anderson,
Thomas Davee,
George Evans,
John Fairfield,
Joseph C. Noyes,
Virgil D. Parris,
Edward Robinson,

{ Charles G. Atherton,
Samuel Cushman,
James Farrington,
Joseph Weeks,
Jared W. Williams.

{ John Quincy Adams,
Nathaniel B. Borden,
George N. Briggs,
William B. Calhoun,
Caleb Cushing,
Richard Fletcher,
George Grennell, jun.
William S. Hastings,
Levi Lincoln,
William Parmenter.

{ Robert B. Cranston,
Joseph L. Tillinghast.

{ Elisha Haley,
Orrin Holt,
Samuel Ingham,
Lancelot Phelps,
Isaac Toucey,
Thomas T. Whittlesey.

From the State of—

VERMONT, - - - -

Heman Allen,
 Horace Everett,
 Isaac Fletcher,
 Hiland Hall,
 William Slade.

John T. Andrews,
 Bennet Bicknell,
 Samuel Birdsall,
 John C. Brodhead,
 Isaac H. Bronson,
 Churchill C. Cambreleng,
 Timothy Childs,
 John C. Clark,
 Edward Curtis,
 John I. De Graff,
 John Edwards,
 Millard Fillmore,
 Henry A. Foster,
 Albert Gallup,
 Abraham P. Grant,
 Hiram Gray,
 Ogden Hoffman,
 Thomas B. Jackson,
 Nathaniel Jones,
 Gouverneur Kemble,
 Arphaxed Loomis,
 Richard P. Marvin,
 Robert McClellan,
 Charles F. Mitchell,
 Ely Moore,
 William H. Noble,
 John Palmer,
 Amasa J. Parker,
 Luther C. Peck,
 Zadock Pratt,
 John H. Prentiss,
 David Russell,
 Mark H. Sibley,
 James B. Spencer,
 William Taylor,
 Obadiah Titus,
 Abraham Vanderveer,
 Henry Vail.

NEW YORK, - - -

John B. Aycrigg,
 William Halsted,
 John P. B. Maxwell,
 Joseph F. Randolph,
 Charles C. Stratton,
 Thomas Jones Yorke.

NEW JERSEY, - - -

From the State of—

PENNSYLVANIA, - - -

William Beatty,
Richard Biddle,
Andrew Buchanan,
Edward Darlington.
Edward Davies,
Jacob Fry, jun.
Robert H. Hammond,
Thomas Henry,
Edward B. Hubley,
George M. Keim,
John Klingensmith, jun.
Henry Logan,
Charles McClure,
Thomas M. T. McKennan,
Mathias Morris,
Samuel W. Morris,
Charles Naylor,
Lemuel Paynter,
David Petrikin,
Arnold Plumer,
David Potts, jun.
Luther Reily,
John Sergeant,
Daniel Sheffer,
George W. Toland,
David D. Wagener.
John J. Milligan.

DELAWARE, - - -

John Dennis,
Benjamin C. Howard,
Daniel Jenifer,
William Cost Johnson,
John P. Kennedy,
James A. Pearce,
Francis Thomas,
John T. H. Worthington.

MARYLAND, - - -

Linn Banks,
Andrew Beirne,
James W. Bouldin,
Robert Craig,
George C. Dromgoole,
George W. Hopkins,
Joseph Johnson,
John W. Jones,
James M. Mason,
Charles F. Mercer,
William S. Morgan,
Francis E. Rives,
John Robertson,
Archibald Stuart,
John Taliaferro,
Henry A. Wise.

VIRGINIA, - - -

From the State of—

NORTH CAROLINA, - - -	Jesse A. Bynum, Henry W. Connor, Edmund Deberry, Micajah T. Hawkins, James J. McKay, William Montgomery, Abraham Rencher, Samuel T. Sawyer, Augustine H. Shepperd, Charles Shepard, Edward Stanly, Lewis Williams.
SOUTH CAROLINA, - - -	William K. Clowney, Franklin H. Elmore, John K. Griffin, R. Barnwell Rhett.
GEORGIA, - - - -	William C. Dawson, Thomas Glascock, Seaton Grantland, Charles E. Haynes, Jabez Jackson, George W. Towns.
KENTUCKY, - - - -	John Calhoon, William J. Graves, James Harlan, Richard Hawes, Richard H. Menefee, John L. Murray, John Pope, Edward Rumsey, William W. Southgate, Joseph R. Underwood, John White, Sherrod Williams.
TENNESSEE, - - - -	John Bell, William B. Campbell, William B. Carter, Richard Cheatham, John W. Crockett, Abraham P. Maury, Abraham McClellan, Ebenezer J. Shields, William Stone, Hopkins L. Turney, Joseph L. Williams, Christopher H. Williams.
OHIO, - - - -	James Alexander, jr. John W. Allen, William Key Bond, John Chaney,

From the State of—

OHIO—(Continued.)	- -	{ Charles D. Coffin, Thomas Corwin, Patrick G. Goode, Alexander Harper, Daniel P. Leadbetter, Samson Mason, Calvary Morris, Joseph Ridgway, Matthias Sheplor, Taylor Webster.
LOUISIANA,	- - - -	{ Henry Johnson.
INDIANA,	- - - -	{ George H. Dunn, John Ewing, William Graham, William Herod, James Rariden, Albert S. White.
MISSISSIPPI,	- - - -	{ Thomas J. Word.
ILLINOIS,	- - - -	{ Zadok Casey, William L. May, Adam W. Snyder.
ALABAMA,	- - - -	{ Reuben Chapman, Dixon H. Lewis, Francis S. Lyon, Joshua L. Martin.
MICHIGAN,	- - - -	{ Isaac E. Crary.

Several new members appeared, were sworn to support the constitution of the United States, and took seats in the House, viz :

From the State of New York—Cyrus Beers, in the place of Andrew D. W. Bruyn, deceased; and Harvey Putnam, in the place of William Patterson, deceased.

From the State of Ohio—Joshua R. Giddings, in the place of Elisha Whittlesey, resigned; and Henry Swearingen, in the place of Daniel Kilgore, resigned.

From the State of Alabama—George W. Crabb, in the place of Joab Lawler, deceased.

The delegate from the Territory of Florida, Charles Downing, also appeared, and took his seat.

The delegate from the Territory of Wisconsin, George W. Jones, appeared and took his seat.

Mr. Crary informed the House that James Duane Doty was in attendance, and claimed to be sworn in as the delegate in this House from the Territory of Wisconsin; and, at the same time, presented the credentials of the said James Duane Doty; which were read at the Clerk's table. And, thereupon, Mr. Crary moved that the said James D. Doty be qualified accordingly.

Objection being made by George W. Jones, who claimed to be the sitting delegate from the Territory of Wisconsin.

A motion was made by Mr. Mercer, that the further consideration of

the subject of the right to a seat in this House as the delegate from the Territory of Wisconsin be postponed until Thursday next; which motion was agreed to by the House, and the subject was postponed accordingly.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : I am directed to acquaint the House of Representatives that a quorum of the Senate is assembled, and ready to proceed to business. The Senate have passed a resolution for the appointment of a committee on its part, to join such committee as may be appointed on the part of the House of Representatives, to wait on the President of the United States, and inform him that a quorum of the two Houses is assembled, and that Congress is ready to receive any communications he may be pleased to make; and the Senate have appointed Mr. Wright and Mr. Young of the committee on its part. And then he withdrew.

The Speaker laid before the House the following communication, viz :

OFFICE HOUSE OF REPRESENTATIVES OF UNITED STATES,

Washington, December 3, 1838.

SIR : The painful duty is devolved upon me of informing you, and, through you, the House of Representatives of the United States, of the death of Walter S. Franklin, Esq., Clerk of the House. He died on the 20th of September last, at Lancaster, in Pennsylvania.

In making this communication, I cannot omit to embrace the opportunity publicly to express the deep regret of every officer of the House at the loss the public and themselves have sustained in the death of Mr. Franklin.

With much respect, sir, your obedient servant,

S. BURCH,

Chief Clerk of the Office,

and acting Clerk House of Representatives.

HON. J. K. POLK,

Speaker House of Representatives.

The said communication being read—

Mr. Petrikin moved the following resolution :

Resolved, That the principal assistant clerk act as Clerk of this House until a Clerk be chosen by the House to fill the vacancy caused by the death of the late Walter S. Franklin.

A motion was made by Mr. Milligan to amend the said resolution, by striking out all thereof after the word *Resolved*, and inserting as follows :

“That the House do forthwith proceed to the election of a Clerk.”

A motion was then made by Mr. Dromgoole, to amend the amendment proposed by Mr. Milligan, by adding, “and that the election be made *viva voce*.”

And, on the question that the House do agree to the amendment moved by Mr. Dromgoole,

It passed in the affirmative, { Yeas, 119,
Nays, 90.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton

Mr. Linn Banks
William Beatty
Cyrus Beers

Mr. Andrew Beirne
Bennet Bicknell
Samuel Birdsall

Mr. James W. Bouldin
 John C. Brodhead
 Isaac H. Bronson
 Andrew Buchanan
 Jesse A. Bynum
 C. C. Cambreleng
 Zadok Casey
 John Chaney
 Reuben Chapman
 Richard Cheatham
 John C. Clark
 Henry W. Connor
 George W. Crabb
 Robert Craig
 Isaac E. Crary
 Samuel Cushman
 William C. Dawson
 Thomas Davee
 John I. De Graff
 George C. Dromgoole
 John Edwards
 Franklin H. Elmore
 John Ewing
 James Farrington
 John Fairfield
 Isaac Fletcher
 Henry A. Foster
 Jacob Fry, jr.
 Albert Gallup
 Thomas Glascock
 Seaton Grantland
 Hiram Gray
 John K. Griffin
 Eliasha Haley
 Robert H. Hammond
 Micajah T. Hawkins
 Charles E. Haynes

Mr. Orrin Holt
 George W. Hopkins
 Benjamin C. Howard
 Edward B. Hubley
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 Joseph Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Daniel P. Leadbetter
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Richard H. Menefee
 Charles F. Mitchell
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 John L. Murray
 William H. Noble
 John Palmer
 Amasa J. Parker
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 David Petrikin

Mr. Lancelot Phelps
 Arnold Plumer
 Zadock Pratt
 John H. Prentiss
 James Rariden
 Luther Reily
 R. Barnwell Rhett
 Francis E. Rives
 John Robertson
 Samuel T. Sawyer
 Daniel Sheffer
 Augustine H. Shepperd
 Charles Shepard
 Ebenezzer J. Shields
 Matthias Sheplor
 Adam W. Snyder
 James B. Spencer
 Archibald Stuart
 Henry Swearingen
 John Taliaferro
 William Taylor
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Joseph R. Underwood
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 Joseph Weeks
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 John T. H. Worthington.

Those who voted in the negative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 J. Banker Aycrigg
 John Bell
 Richard Biddle
 William Key Bond
 Nathaniel B. Borden
 George N. Briggs
 William B. Calhoun
 John Calhoon
 William B. Campbell
 William B. Carter
 Timothy Childs
 William K. Clowney
 Charles D. Coffin
 Thomas Corwin
 Robert B. Cranston
 John W. Crockett
 Edward Curtis
 Edward Darlington
 Edward Davies
 Edmund Deberry
 John Dennis
 George H. Dunn
 George Evans

Mr. Horace Everett
 Richard Fletcher
 Millard Fillmore
 Joshua R. Giddings
 Patrick G. Goode
 William Graham
 Abraham P. Grant
 William J. Graves
 George Grennell, jr.
 Hiland Hall
 William Halsted
 James Harlan
 Alexander Harper
 William S. Hastings
 Richard Hawes
 Thomas Henry
 William Herod
 Ogden Hoffman
 Daniel Jenifer
 Henry Johnson
 William Cost Johnson
 John P. Kennedy
 Levi Lincoln
 Richard P. Marvin
 Samson Mason
 Abram P. Maury
 William L. May

Mr. John P. B. Maxwell
 Thomas M. T. McKennan
 Charles F. Mercer
 John J. Milligan
 Mathias Morris
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 James A. Pearce
 Luther C. Peck
 John Pope
 David Potts, jr.
 Harvey Putnam
 Joseph F. Randolph
 Abraham Rencher
 Joseph Ridgway
 Edward Robinson
 Edward Rumsey
 David Russell
 John Sergeant
 Mark H. Sibley
 William Slade
 William W. Southgate
 Edward Stanly
 William Stone
 Charles C. Stratton
 Joseph L. Tillinghast

Mr. George W. Toland
Albert S. White
John White

Mr. Thomas T. Whittlesey
Lewis Williams
Christopher H. Williams

Mr. Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

The amendment moved by Mr. Milligan was then agreed to as amended. And, on the question that the House do agree to the resolution as amended,

It passed in the affirmative.

And so it was

Resolved, That the House do forthwith proceed to the election of a Clerk, and that the election be made *viva voce*.

The House then, in pursuance of the said resolution, proceeded to the election of a Clerk;

And the first vote being taken, the result was as follows:

The following-named members voted for *Hugh A. Garland*, viz:

Messrs. Hugh J. Anderson, Charles G. Atherton, Linn Banks, Andrew Beirne, James W. Bouldin, Jesse A. Bynum, Zadok Casey, Reuben Chapman, Henry W. Connor, Robert Craig, Isaac E. Crary, Thomas Davee, George C. Dromgoole, Franklin H. Elmore, John Fairfield, Thomas Glascock, Seaton Grantland, Elisha Haley, Micajah T. Hawkins, Charles E. Haynes, George W. Hopkins, Benjamin C. Howard, Samuel Ingham, Jabez Jackson, Joseph Johnson, John W. Jones, Dixon H. Lewis, Francis S. Lyon, James M. Mason, Joshua L. Martin, James J. McKay, Abraham McClellan, William Montgomery, William S. Morgan, John L. Murray, Virgil D. Parris, Lancelot Phelps, R. Barnwell Rhett, Francis E. Rives, Samuel T. Sawyer, Adam W. Snyder, Archibald Stuart, Francis Thomas, Isaac Toucey, George W. Towns, Hopkins L. Turney, Jared W. Williams, John T. H. Worthington.

The following-named members voted for *Matthew St. Clair Clarke*, viz:

Messrs. John Quincy Adams, Heman Allen, John W. Allen, J. Banker Aycrigg, John Bell, William Key Bond, William B. Calhoun, John Calhoun, William B. Campbell, William B. Carter, Richard Cheatham, Timothy Childs, William K. Clowney, Thomas Corwin, George W. Crabb, Edward Curtis, Caleb Cushing, William C. Dawson, Edmund Deberry, John Dennis, George Evans, John Ewing, Richard Fletcher, Joshua R. Giddings, Patrick G. Goode, William Graham, William J. Graves, John K. Griffin, James Harlan, William S. Hastings, Richard Hawes, Ogden Hoffman, Henry Johnson, William Cost Johnson, John P. Kennedy, Levi Lincoln, Charles F. Mercer, Calvary Morris, Joseph C. Noyes, John Pope, John Robertson, Edward Robinson, Augustine H. Shepperd, Charles Shepard, Ebenezer J. Shields, Mark H. Sibley, Edward Stanly, William Stone, Joseph L. Tillinghast, John White, Sherrod Williams, Joseph L. Williams, Henry A. Wise, Thomas J. Word, Thomas Jones Yorke.

The following-named members voted for *Edward Livingston*, viz:

Messrs. John T. Andrews, Cyrus Beers, Bennet Bicknell, Samuel Birdsall, John C. Brodhead, Isaac H. Bronson, C. C. Cambreleng, John I. De Graff, Henry A. Foster, Albert Gallup, Abraham P. Grant, Hiram Gray, Orrin Holt, Thomas B. Jackson, Nathaniel Jones, Gouverneur Kemble, Arphaxed Loomis, Robert McClellan, Ely Moore, William H. Noble, John Palmer, Amasa J. Parker, William Parmenter, Zadock Pratt, John H. Prentiss, James B. Spencer, William Taylor, Obadiah Titus, Henry Vail, Abraham Vanderveer, Thomas T. Whittlesey.

The following-named members voted for *Samuel Shoch*, viz :

Messrs. James Alexander, jr., Richard Biddle, Nathaniel B. Borden, Robert B. Cranston, Edward Darlington, Edward Davies, Millard Fillmore, Thomas Henry, Richard P. Marvin, Thomas M. T. McKennan, Charles F. Mitchell, Mathias Morris, Charles Naylor, Luther C. Peck, David Potts, jr., Harvey Putnam, Joseph Ridgway, David Russell, John Sergeant, William Slade, George W. Toland.

The following-named members voted for *Arnold Naudain*, viz :

Messrs. George N. Briggs, Charles D. Coffin, George H. Dunn, Horace Everett, George Grennell, jr., Hiland Hall, Alexander Harper, Daniel Jenifer, Samson Mason, Abram P. Maury, William L. May, John P. B. Maxwell, John J. Milligan, James A. Pearce, James Rariden, Joseph F. Randolph, Abraham Rencher, Charles C. Stratton, John Taliaferro, Lewis Williams.

The following-named members voted for *Henry Buehler*, viz :

Messrs. William Beatty, Andrew Buchanan, Jacob Fry, jr., Robert H. Hammond, Edward B. Hubley, George M. Keim, John Klingensmith, jr., Henry Logan, Samuel W. Morris, Lemuel Paynter, David Petrikin, Arnold Plumer, Luther Reily, Daniel Sheffer, David D. Wagener, Joseph Weeks.

The following-named members voted for *James H. Birch*, viz :

Messrs. John W. Crockett, William Halsted, William Herod, Richard H. Menefee, Edward Rumsey, William W. Southgate, Joseph R. Underwood, Albert S. White, Christopher H. Williams.

The following-named members voted for *John Bigler*, viz :

Messrs. John Chaney, Samuel Cushman, James Farrington, Isaac Fletcher, Daniel P. Leadbetter, Matthias Sheplor, Henry Swearingen, Taylor Webster.

The following-named members voted for *Reuben M. Whitney*, viz :

Messrs. John C. Clark, John Edwards.

Recapitulation of the first vote.

For Hugh A. Garland	-	-	-	-	-	48
Matthew St. Clair Clarke	-	-	-	-	-	55
Edward Livingston	-	-	-	-	-	31
Samuel Shoch	-	-	-	-	-	21
Arnold Naudain	-	-	-	-	-	20
Henry Buehler	-	-	-	-	-	16
James H. Birch	-	-	-	-	-	9
John Bigler	-	-	-	-	-	8
Reuben M. Whitney	-	-	-	-	-	2
Whole number of votes given						210
Necessary to a choice						106

No person having a majority of the whole number of votes given in, The House proceeded to vote a second time ; the result of which was as follows :

The following named members voted for *Hugh A. Garland*, viz :

Messrs. Hugh J. Anderson, Charles G. Atherton, Linn Banks, Andrew Beirne, James W. Bouldin, Jesse A. Bynum, C. C. Cambreleng, Zadok Casey, Reuben Chapman, William K. Clowney, Henry W. Connor, Robert

Craig, Isaac E. Crary, Samuel Cushman, Thomas Davee, George C. Dromgoole, Franklin H. Elmore, James Farrington, John Fairfield, Henry A. Foster, Jacob Fry, jr., Thomas Glascock, Seaton Grantland, Elisha Haley, Micajah T. Hawkins, Charles E. Haynes, Orrin Holt, George W. Hopkins, Benjamin C. Howard, Samuel Ingham, Jabez Jackson, Joseph Johnson, John W. Jones, Dixon H. Lewis, Francis S. Lyon, James M. Mason, Joshua L. Martin, James J. McKay, Abraham McClellan, William Montgomery, William S. Morgan, John L. Murray, Amasa J. Parker, William Parmenter, Virgil D. Parris, David Petrikin, Lancelot Phelps, R. Barnwell Rhett, Francis E. Rives, Samuel T. Sawyer, Adam W. Snyder, Archibald Stuart, Francis Thomas, Isaac Toucey, George W. Towns, Hopkins L. Turney, Joseph Weeks, Thomas T. Whittlesey, Jared W. Williams, John T. H. Worthington.

The following-named members voted for *Matthew St. Clair Clarke*, viz :

Messrs. John Quincy Adams, James Alexander, jr., Heman Allen, John W. Allen, J. Banker Aycrigg, John Bell, William Key Bond, George N. Briggs, William B. Calhoun, John Calhoon, William B. Campbell, William B. Carter, Richard Cheatham, Timothy Childs, John C. Clark, Charles D. Coffin, Thomas Corwin, George W. Crabb, Robert B. Cranston, John W. Crockett, Edward Curtis, Caleb Cushing, William C. Dawson, Edmund Deberry, John Dennis, George H. Dunn, George Evans, Horace Everett, John Ewing, Richard Fletcher, Millard Fillmore, Joshua R. Giddings, Patrick G. Goode, William Graham, William J. Graves, George Grennell, jr., John K. Griffin, Hiland Hall, William Halsted, James Harlan, Alexander Harper, William S. Hastings, Richard Hawes, Ogden Hoffman, Daniel Jenifer, Henry Johnson, William Cost Johnson, John P. Kennedy, Levi Lincoln, Samson Mason, Abram P. Maury, William L. May, John P. B. Maxwell, Richard H. Menefee, Charles F. Mercer, Mathias Morris, Calvary Morris, Charles Naylor, Joseph C. Noyes, James A. Pearce, Luther C. Peck, John Pope, Harvey Putnam, James Rariden, Joseph F. Randolph, John Robertson, Edward Robinson, Edward Rumsey, Augustine H. Shepperd, Ebenezer J. Shields, Mark H. Sibley, William Slade, William W. Southgate, Edward Stanly, William Stone, Charles C. Stratton, Joseph L. Tillinghast, George W. Toland, Joseph R. Underwood, Albert S. White, John White, Lewis Williams, Sherrod Williams, Joseph L. Williams, Henry A. Wise, Thomas J. Word, Thomas Jones Yorke.

The following-named members voted for *Edward Livingston*, viz :

Messrs. John T. Andrews, Cyrus Beers, Bennet Bicknell, Samuel Birdsall, John C. Brodhead, Isaac H. Bronson, John I. De Graff, John Edwards, Albert Gallup, Abraham P. Grant, Hiram Gray, Thomas B. Jackson, Nathaniel Jones, Gouverneur Kemble, Arphaxed Loomis, Robert McClellan, Ely Moore, William H. Noble, John Palmer, Zadock Pratt, John H. Prentiss, James B. Spencer, William Taylor, Obadiah Titus, Henry Vail, Abraham Vanderveer.

The following-named members voted for *Samuel Shoch* :

Messrs. Richard Biddle, Nathaniel B. Borden, Edward Darlington, Edward Davies, Thomas Henry, Richard P. Marvin, Thomas M. T. McKennan, Charles F. Mitchell, David Potts, jr., Joseph Ridgway, David Russell, John Sergeant, Christopher H. Williams.

The following-named members voted for *Henry Buehler* :

Messrs. William Beatty, Andrew Buchanan, Robert H. Hammond,

Edward B. Hubley, George M. Keim, John Klingensmith, jr., Henry Logan, Samuel W. Morris, Lemuel Paynter, Arnold Plumer, Luther Reily, David D. Wagener, Daniel Sheffer.

The following-named members voted for *John Bigler* :

Messrs. John Chaney, Isaac Fletcher, Daniel P. Leadbetter, Matthias Sheplor, Henry Swearingen, Taylor Webster.

The following named members voted for *Arnold Naudain* :

Messrs. William Herod, John J. Milligan, Abraham Rencher, John Taliaferro.

Recapitulation of the second vote.

For Hugh A. Garland	-	-	-	-	-	-	59
Matthew St. Clair Clarke	-	-	-	-	-	-	88
Edward Livingston	-	-	-	-	-	-	26
Samuel Shoch	-	-	-	-	-	-	13
Henry Buehler	-	-	-	-	-	-	13
John Bigler	-	-	-	-	-	-	6
Arnold Naudain	-	-	-	-	-	-	4

Whole number of votes given	-	-	209
Necessary to a choice	-	-	105

No person having a majority of the whole number of votes given, The House proceeded to vote a third time ; the result of which was as follows :

The following-named members voted for *Hugh A. Garland*, viz :

Messrs. Hugh J. Anderson, John T. Andrews, Charles G. Atherton, Linn Banks, William Beatty, Cyrus Beers, Andrew Beirne, Bennett Bicknell, Samuel Birdsall, James W. Bouldin, John C. Brodhead, Isaac H. Bronson, Andrew Buchanan, Jesse A. Bynum, C. C. Cambreleng, Zadok Casey, John Chaney, Reuben Chapman, William K. Clowney, Henry W. Connor, Robert Craig, Isaac E. Crary, Samuel Cushman, Thomas Davee, John I. De Graff, George C. Dromgoole, Franklin H. Elmore, James Farrington, John Fairfield, Isaac Fletcher, Henry A. Foster, Jacob Fry, jr., Albert Gallup, Thomas Glascock, Seaton Grantland, Abraham P. Grant, Hiram Gray, John K. Griffin, Elisha Haley, Robert H. Hammond, Micajah T. Hawkins, Charles E. Haynes, Orrin Holt, George W. Hopkins, Benjamin C. Howard, Edward B. Hubley, Samuel Ingham, Thomas B. Jackson, Jabez Jackson, Joseph Johnson, Nathaniel Jones, John W. Jones, George M. Keim, Gouverneur Kemble, John Klingensmith, jr., Daniel P. Leadbetter, Dixon H. Lewis, Henry Logan, Arphaxed Loomis, Francis S. Lyon, James M. Mason, Joshua L. Martin, James J. McKay, Robert McClellan, Abraham McClellan, William Montgomery, Ely Moore, William S. Morgan, Samuel W. Morris, John L. Murray, William H. Noble, John Palmer, Amasa J. Parker, William Parmenter, Virgil D. Parris, Lemuel Paynter, David Petrikin, Lancelot Phelps, Arnold Plumer, Zadock Pratt, John H. Prentiss, Luther Riley, R. Barnwell Rhett, Francis E. Rives, Samuel T. Sawyer, Daniel Sheffer, Charles Shepard, Matthias Sheplor, Adam W. Snyder, James B. Spencer, Archibald Stuart, Henry Swearingen, William Taylor, Francis Thomas, Obadiah Titus, Isaac Toucey, George W. Towns, Hopkins L. Turney, Henry Vail, Abraham Vanderveer, David D. Wage-

ner, Taylor Webster, Joseph Weeks, Thomas T. Whittlesey, Jared W. Williams, John T. H. Worthington.

The following-named members voted for *Matthew St. Clair Clarke*, viz :

Messrs. J. Q. Adams, James Alexander, jr., Heman Allen, John W. Allen, J. Banker Aycrigg, John Bell, Richard Biddle, William Key Bond, Nathaniel B. Borden, George N. Briggs, William B. Calhoun, John Calhoun, William B. Campbell, William B. Carter, Richard Cheatham, Timothy Childs, John C. Clark, Charles D. Coffin, Thomas Corwin, George W. Crabb, Robert B. Cranston, John W. Crockett, Edward Curtis, Caleb Cushing, Edward Darlington, William C. Dawson, Edward Davies, Edmund Deberry, John Dennis, George H. Dunn, John Edwards, George Evans, Horace Everett, John Ewing, Richard Fletcher, Millard Fillmore, Joshua R. Giddings, Patrick G. Goode, William Graham, William J. Graves, George Grennell, jr., Hiland Hall, William Halsted, James Harlan, Alexander Harper, William S. Hastings, Richard Hawes, Thomas Henry, William Herod, Ogden Hoffman, Daniel Jenifer, Henry Johnson, William Cost Johnson, John P. Kennedy, Levi Lincoln, Richard P. Marvin, Samson Mason, Abram P. Maury, William L. May, John P. B. Maxwell, Thomas M. T. McKennan, Richard H. Menefee, Charles F. Mercer, John J. Milligan, Charles F. Mitchell, Mathias Morris, Calvary Morris, Charles Naylor, Joseph C. Noyes, James A. Pearce, Luther C. Peck, John Pope, David Potts, jr., Harvey Putnam, James Rariden, Joseph F. Randolph, Abraham Rencher, Joseph Ridgway, John Robertson, Edward Robinson, Edward Rumsey, David Russell, John Sergeant, Augustine H. Shepperd, Ebenezer J. Shields, Mark H. Sibley, William Slade, William W. Southgate, Edward Stanly, William Stone, Charles C. Stratton, John Taliaferro, Joseph L. Tillinghast, George W. Toland, Joseph R. Underwood, Albert S. White, John White, Lewis Williams, Sherrod Williams, Joseph L. Williams, Christopher H. Williams, Henry A. Wise, Thomas J. Word, Thomas Jones Yorke.

Recapitulation of the third vote.

For Hugh A. Garland	-	-	-	-	-	-	106
Matthew St. Clair Clarke	-	-	-	-	-	-	104
Whole number of votes given							210
Necessary to a choice							106

A majority of the whole number of votes having been given to Hugh A. Garland, he was declared to be duly elected Clerk of the House.

William W. Chapman appeared as the Delegate from the Territory of Iowa, was sworn to support the constitution of the United States, and took a seat in the House.

On motion of Mr. Briggs,

Ordered, That, until otherwise ordered, the daily hour to which the House shall stand adjourned be twelve o'clock meridian.

And then, at half-past three o'clock, the House adjourned until tomorrow, twelve o'clock.

TUESDAY, DECEMBER 4, 1838.

Several other members appeared, and took their seats, viz :

From the State of Massachusetts—John Reed.

From the State of Kentucky—John Chambers.

From the State of Virginia—Walter Coles, James Garland, Robert M. T. Hunter, and Francis Mallory.

Hugh A. Garland, who was yesterday elected Clerk to the House, appeared, when the oath to support the constitution of the United States, together with the oath of office, as prescribed by the act entitled "An act to regulate the time and manner of administering certain oaths," were administered to him by the Speaker ; and he thereupon entered upon the duties of his office.

Ordered, That a message be sent to the Senate informing that body that a quorum of the House of Representatives is assembled, and that the House is ready to proceed to business.

The House proceeded to the consideration of the resolution from the Senate, for the appointment of a joint committee to wait on the President of the United States, and inform him that a quorum of the two Houses is assembled, and that Congress is ready to receive any communication he may be pleased to make ; and the same being read, was agreed to by the House ;

And Mr. Cambreleng, Mr. Lincoln, and Mr. Connor, were appointed of the committee on the part of this House.

The Speaker laid before the House a communication from Mr. John Quincy Adams, in the words following, viz :

To the President of the Senate and Speaker of the House of Representatives of the United States in Congress assembled :

In compliance with the request of Mr. George Washington Lafayette, and of the respected family of our late illustrious and ever-venerated friend General Lafayette, I have the honor of presenting to Congress, in their name, a copy of the memoirs and writings of their honored parent, recently published by them, to be deposited in the Library of Congress.

JOHN QUINCY ADAMS.

HOUSE OF REPRESENTATIVES OF THE U. STATES,

Monday, December 3, 1838.

The said communication having been read,

Mr. John Quincy Adams submitted the following concurrent resolution :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of this Congress be presented to George Washington Lafayette, the son, and to the surviving family of the late illustrious and lamented General Lafayette, for the copy of his memoirs and writings recently published by them, and presented in their name to this Congress, to be deposited in the library, and that the same be deposited in the said library accordingly.

The said resolution was read and passed *unanimously*.

Ordered, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Harlan,

Resolved, That the Clerk cause the members of this House to be furnished, during the present session, with such newspapers as they may

respectively direct; the expense for each member not to exceed at the rate of three daily papers per annum.

On motion of Mr. Grennell,

Resolved, That two chaplains, of different denominations, be elected to serve during the present session of Congress, one by each House, who shall interchange weekly.

Mr. Taylor submitted the following resolution; which was read, and disagreed to by the House, viz:

Resolved, That a committee be appointed to report a plan for carrying into effect, as far as practicable, the order of the House of the 2d July last, directing that, in the new arrangement of the Hall, the members should be entitled, as near as may be, to the same relative positions to the Chair which they then occupied; or to devise and report such other mode of assigning seats to members as to the committee may seem equitable and proper.

Mr. John Quincy Adams moved the following resolution:

Resolved, That all the petitions, memorials, and remonstrances against the annexation of the republic of Texas to the United States, presented at the first and second sessions of the present Congress, together with the resolution of the Legislatures of the States of Alabama, Tennessee, Vermont, Rhode Island, Ohio, Michigan, and Massachusetts, now on file in the Clerk's office, relating to that subject, be taken from the said files and referred to a select committee of — members, to consider and report thereon.

The said resolution was read; and

A motion was made by Mr. Howard, that the said resolution do lie on the table;

And the question being put,

It was decided in the affirmative, { Yeas, 136,
Nays, 61.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
John Bell
Bennet Bicknell
Samuel Birdsall
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
William B. Campbell
Zadok Casey
John Chambers
John Chaney
Reuben Chapman
Richard Cheatham
John C. Clark
William K. Clowney
Walter Coles
George W. Crabb

Mr. Robert Craig
Isaac E. Crary
John W. Crockett
Samuel Cushman
William C. Dawson
Thomas Davee
Edmund Deberry
John I. De Graff
John Dennis
George C. Dromgoole
John Edwards
Franklin H. Elmore
John Ewing
John Fairfield
Henry A. Foster
Jacob Fry, jr.
Albert Gallup
James Garland
Thomas Glascock
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray

Mr. John K. Griffin
Elisha Haley
Robert H. Hammond
James Harlan
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingsmith, jr.

Mr. Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 James M. Mason
 Joshua L. Martin
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Richard H. Menefee
 Charles F. Mercer
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 John L. Murray
 William H. Noble
 Amasa J. Parker
 Virgil D. Parris

Mr. Lemuel Paynter
 James A. Pearce
 David Petrikin
 Lancelot Phelps
 Arnold Plumer
 John Pope
 Zadock Pratt
 Joseph F. Randolph
 Luther Reily
 R. Barnwell Rhett
 Francis E. Rives
 John Robertson
 Edward Rumsey
 Samuel T. Sawyer
 Augustine H. Shepperd
 Charles Shepard
 Ebenezer J. Shields
 Matthias Shepler
 Adam W. Snyder
 William W. Southgate
 James B. Spencer
 Edward Stanly

Mr. Archibald Stuart
 William Stone
 Henry Swearingen
 John Taliaferro
 William Taylor
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 Hopkins L. Turney
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Joseph Weeks
 John White
 Thomas T. Whittlesey
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 J. T. H. Worthington.

Those who voted in the negative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 J. Banker Ayerigg
 William Key Bond
 Nathaniel B. Borden
 James W. Bouldin
 George N. Briggs
 William B. Calhoun
 Timothy Childs
 Charles D. Coffin
 Robert B. Cranston
 Edward Curtis
 Caleb Cushing
 Edward Darlington
 Edward Davies
 George H. Dunn
 George Evans
 Horace Everett
 Richard Fletcher

Mr. Isaac Fletcher
 Millard Fillmore
 Joshua R. Giddings
 Patrick G. Goode
 William Graham
 George Grennell, jr.
 Hiland Hall
 William Halsted
 Alexander Harper
 William S. Hastings
 Thomas Henry
 William Herod
 Ogden Hoffman
 Samuel Ingham
 Daniel Jenifer
 Richard P. Marvin
 Samson Mason
 Thomas M. T. McKennan
 Charles F. Mitchell
 Mathias Morris

Mr. Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 William Parmenter
 Luther C. Peck
 David Potts, jr.
 Harvey Putnam
 James Rariden
 John Reed
 Joseph Ridgway
 Edward Robinson
 David Russell
 John Sergeant
 Mark H. Sibley
 William Slade
 Charles C. Stratton
 Joseph L. Tillinghast
 George W. Toland
 Albert S. White
 Thomas Jones Yorke.

Mr. McKennan submitted the following resolution; which was read, and disagreed to by the House, viz :

Resolved, That the drapery, &c., in the galleries be so renewed and arranged, under the direction of the Speaker, as to correspond with the improvements in the Hall.

Mr. John Quincy Adams gave notice that he would to-morrow ask leave to introduce a bill to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof.

Mr. John Quincy Adams moved the following resolution, viz :

Resolved, That a committee of — members be appointed, with leave to send for persons and papers, to inquire and report to this House—

1. Whether Andrew Stevenson, envoy extraordinary and minister plenipotentiary from the United States at London, is, or has recently been, engaged in a public newspaper controversy involving his personal

integrity and the honor of his country, whose representative he is, with Daniel O'Connell, a member of the Parliament of the United Kingdom of Great Britain and Ireland.

2. Whether the said Andrew Stevenson, holding the privileged character of an ambassador, has, in concert with three other persons, citizens of the United States, one of whom an officer in their navy, engaged in a conspiracy with intent to *stop the wind*, or, in the language of the laws of God and of man, to murder the said Daniel O'Connell in a duel, or by a premeditated provocation to a brawl.

3. Whether the said Andrew Stevenson, after a written demand of explanation in the form usual among duellists as preliminary to a challenge, and with the intent to follow it up by a challenge, preconcerted with the said three other citizens of the United States, did accept of an answer from the said Daniel O'Connell equally unsatisfactory to the codes of genuine and of spurious honor, and thereby tacitly admit the truth of the imputation upon his honor at which he had professed to take offence.

4. Whether the said Andrew Stevenson, in these transactions, has violated the duties of his office as an ambassador of peace, the laws of nations, the laws of the land to the Government of which he was accredited, the privileges of the British House of Commons in the person of one of its members, and the honor and interest of his country.

5. Whether the said Andrew Stevenson has, in these transactions, so conducted himself as to require the constitutional interposition of this House by impeachment or otherwise.

A motion was made by Mr. Howard that the consideration of said resolution be postponed until Monday next, and that it be printed.

A motion was made by Mr. Hopkins that the resolution do lie on the table.

And the question being put,

It passed in the affirmative, { Yeas, 140,
Nays, 57.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John W. Allen
Hugh J. Anderson
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsall
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
John Chaney
Reuben Chapman
Richard Cheatham
John C. Clark
William K. Clowney
Charles D. Coffin

Mr. Walter Coles
George W. Crabb
Robert Craig
Isaac E. Crary
John W. Crockett
Samuel Cushman
William C. Dawson
Thomas Daves
John I. De Graff
John Dennis
George C. Dromgoole
George H. Dunn
Franklin H. Elmore
John Ewing
John Fairfield
Henry A. Foster
James Garland
Thomas Glascock
William Graham
Seaton Grantland
Hiram Gray
John K. Griffin
Elisha Haley
Robert H. Hammond

Mr. Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
William Herod
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Daniel Jenifer
Henry Johnson
Joseph Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Dixon H. Lewis
Henry Logan
Archibald Loomis

Mr. Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Richard H. Menefee
John J. Milligan
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
James A. Pearce

Mr. David Petrikin
Lancelot Phelps
Arnold Plumer
John Pope
Zadock Pratt
Luther Reily
Abraham Rencher
R. Barnwell Rhett
Francis E. Rives
John Robertson
Edward Rumsey
Samuel T. Sawyer
Daniel Shaffer
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder
William W. Southgate
James B. Spencer
Edward Stanly
Archibald Stuart
William Stone

Mr. Henry Swearingen
John Taliaferro
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Joseph R. Underwood
Abraham Vanderveer
David D. Wagener
Taylor Webster
Joseph Weeks
Albert S. White
John White
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Thomas I. Word
Jno. T. H. Worthington.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John T. Andrews
J. Banker Aycrigg
William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
Timothy Childs
Edward Curtis
Caleb Cushing
Edward Darlington
Edward Davies
Edmund Deberry
George Evans
Horace Everett
Richard Fletcher
Isaac Fletcher

Mr. Millard Fillmore
Joshua R. Giddings
Patrick G. Goode
George Grennell, jr.
Hiland Hall
William Halsted
James Harlan
Alexander Harper
William S. Hastings
Thomas Henry
William Cost Johnson
Levi Lincoln
Richard P. Marvin
Samson Mason
Thos. M. T. McKennan
Charles F. Mercer
Charles F. Mitchell
Matthias Morris
Calvary Morris

Mr. Charles Naylor
Joseph C. Noyes
Luther C. Peck
David Potts, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Edward Robinson
David Russell
John Sergeant
Mark H. Sibley
William Slade
Charles C. Stratton
Joseph L. Tillinghast
George W. Toland
Henry A. Wise
Thomas Jones Yorke.

Mr. Cambreleng, from the joint committee appointed to wait on the President of the United States and inform him that a quorum of the two Houses is assembled, and that Congress is ready to receive any communications he may be pleased to make, reported that the committee had discharged the duties for which it was appointed, and was informed by the President that he would make a communication, in writing, to each House to-day.

A communication, in writing, was then received from the President of the United States by Mr. Martin Van Buren, jr., his private secretary; which was read, and is as follows:

*Fellow-citizens of the Senate
and House of Representatives:*

I congratulate you on the favorable circumstances in the condition of our country, under which you reassemble for the performance of your official duties. Though the anticipations of an abundant harvest have not everywhere been realized, yet, on the whole, the labors of the husbandman

are rewarded with a bountiful return ; industry prospers in its various channels of business and enterprise ; general health again prevails through our vast diversity of climate ; nothing threatens, from abroad, the continuance of external peace ; nor has any thing at home impaired the strength of those fraternal and domestic ties which constitute the only guaranty to the success and permanency of our happy Union, and which, formed in the hour of peril, have hitherto been honorably sustained through every vicissitude in our national affairs. These blessings, which evince the care and beneficence of Providence, call for our devout and fervent gratitude.

We have not less reason to be grateful for other bounties bestowed by the same munificent hand, and more exclusively our own.

The present year closes the first half century of our federal institutions : and our system—differing from all others in the acknowledged practical and unlimited operation which it has for so long a period given to the sovereignty of the people—has now been fully tested by experience.

The constitution devised by our forefathers as the frame-work and bond of that system, then untried, has become a settled form of government ; not only preserving and protecting the great principles upon which it was founded, but wonderfully promoting individual happiness and private interests. Though subject to change and entire revocation, whenever deemed inadequate to all these purposes, yet such is the wisdom of its construction, and so stable has been the public sentiment, that it remains unaltered, except in matters of detail comparatively unimportant. It has proved amply sufficient for the various emergencies incident to our condition as a nation. A formidable foreign war ; agitating collisions between domestic, and, in some respects, rival sovereignties ; temptations to interfere in the intestine commotions of neighboring countries ; the dangerous influences that arise in periods of excessive prosperity ; and the anti-republican tendencies of associated wealth—these, with other trials not less formidable, have all been encountered, and thus far successfully resisted.

It was reserved for the American Union to test the advantages of a Government entirely dependent on the continual exercise of the popular will ; and our experience has shown that it is as beneficent in practice as it is just in theory. Each successive change made in our local institutions has contributed to extend the right of suffrage, has increased the direct influence of the mass of the community, given greater freedom to individual exertion, and restricted, more and more, the powers of Government : yet the intelligence, prudence, and patriotism of the people have kept pace with this augmented responsibility. In no country has education been so widely diffused. Domestic peace has nowhere so largely reigned. The close bonds of social intercourse have in no instance prevailed with such harmony over a space so vast. All forms of religion have united, for the first time, to diffuse charity and piety, because, for the first time in the history of nations, all have been totally untrammelled and absolutely free. The deepest recesses of the wilderness have been penetrated, yet, instead of the rudeness in the social condition consequent upon such adventures elsewhere, numerous communities have sprung up, already unrivalled in prosperity, general intelligence, internal tranquillity, and the wisdom of their political institutions. Internal improvement, the fruit of individual enterprise, fostered by the protection of the States, has added new links to the confederation, and fresh rewards to provident industry. Doubtful questions of domestic policy have been quietly settled by mutual

forbearance; and agriculture, commerce, and manufactures minister to each other. Taxation and public debt, the burdens which bear so heavily upon all other countries, have pressed with comparative lightness upon us. Without one entangling alliance, our friendship is prized by every nation; and the rights of our citizens are everywhere respected, because they are known to be guarded by a united, sensitive, and watchful people.

To this practical operation of our institutions, so evident and successful, we owe that increased attachment to them which is among the most cheering exhibitions of popular sentiment, and will prove their best security in time to come against foreign or domestic assault.

This review of the results of our institutions, for half a century, without exciting a spirit of vain exultation, should serve to impress upon us the great principles from which they have sprung—constant and direct supervision by the people over every public measure; strict forbearance on the part of the Government from exercising any doubtful or disputed powers; and a cautious abstinence from all interference with concerns which properly belong and are best left to State regulations and individual enterprise.

Full information of the state of our foreign affairs having been recently, on different occasions, submitted to Congress, I deem it necessary now to bring to your notice only such events as have subsequently occurred, or are of such importance as to require particular attention.

The most amicable dispositions continue to be exhibited by all the nations with whom the Government and citizens of the United States have an habitual intercourse. At the date of my last annual message, Mexico was the only nation which could not be included in so gratifying a reference to our foreign relations.

I am happy to be now able to inform you that an advance has been made towards the adjustment of our differences with that republic, and the restoration of the customary good feeling between the two nations. This important change has been effected by conciliatory negotiations, that have resulted in the conclusion of a treaty between the two Governments, which, when ratified, will refer to the arbitrament of a friendly Power all the subjects of controversy between us growing out of injuries to individuals. There is, at present, also, reason to believe that an equitable settlement of all disputed points will be attained without further difficulty or unnecessary delay, and thus authorize the free resumption of diplomatic intercourse with our sister republic.

With respect to the Northeastern boundary of the United States, no official correspondence between this Government and that of Great Britain has passed since that communicated to Congress towards the close of their last session. The offer to negotiate a convention for the appointment of a joint commission of survey and exploration, I am, however, assured will be met by her Majesty's Government in a conciliatory and friendly spirit, and instructions to enable the British minister here to conclude such an arrangement will be transmitted to him without needless delay. It is hoped and expected that these instructions will be of a liberal character, and that this negotiation, if successful, will prove to be an important step towards the satisfactory and final adjustment of the controversy.

I had hoped that the respect for the laws and regard for the peace and honor of their own country, which has ever characterized the citizens of the United States, would have prevented any portion of them from using

any means to promote insurrection in the territory of a Power with which we are at peace, and with which the United States are desirous of maintaining the most friendly relations. I regret deeply, however, to be obliged to inform you that this has not been the case. Information has been given to me, derived from official and other sources, that many citizens of the United States have associated together to make hostile incursions from our territory into Canada, and to aid and abet insurrection there, in violation of the obligations and laws of the United States, and in open disregard of their own duties as citizens. This information has been in part confirmed, by a hostile invasion actually made by citizens of the United States, in conjunction with Canadians and others, and accompanied by a forcible seizure of the property of our citizens, and an application thereof to the prosecution of military operations against the authorities and people of Canada.

The results of these criminal assaults upon the peace and order of a neighboring country have been, as was to be expected, fatally destructive to the misguided or deluded persons engaged in them, and highly injurious to those in whose behalf they are professed to have been undertaken. The authorities in Canada, from intelligence received of such intended movements among our citizens, have felt themselves obliged to take precautionary measures against them; have actually imbodyed the militia, and assumed an attitude to repel the invasion to which they believed the colonies were exposed from the United States. A state of feeling on both sides of the frontier has thus been produced, which called for prompt and vigorous interference. If an insurrection existed in Canada, the amicable dispositions of the United States towards Great Britain, as well as their duty to themselves, would lead them to maintain a strict neutrality, and to restrain their citizens from all violations of the laws which have been passed for its enforcement. But this Government recognises a still higher obligation to repress all attempts on the part of its citizens to disturb the peace of a country where order prevails, or has been re-established. Depredations by our citizens upon nations at peace with the United States, or combinations for committing them, have at all times been regarded by the American Government and people with the greatest abhorrence. Military incursions by our citizens into countries so situated, and the commission of acts of violence on the members thereof, in order to effect a change in their government, or under any pretext whatever, have, from the commencement of our Government, been held equally criminal on the part of those engaged in them, and as much deserving of punishment as would be the disturbance of the public peace by the perpetration of similiar acts within our own territory.

By no country or persons have these invaluable principles of international law—principles, the strict observance of which is so indispensable to the preservation of social order in the world—been more earnestly cherished or sacredly respected than by those great and good men who first declared, and finally established, the independence of our own country. They promulgated and maintained them at an early and critical period in our history; they were subsequently imbodyed in legislative enactments of a highly penal character, the faithful enforcement of which has hitherto been, and will, I trust, always continue to be, regarded as a duty inseparably associated with the maintenance of our national honor. That the people of the United States should feel an interest in the spread

of political institutions as free as they regard their own to be, is natural ; nor can a sincere solicitude for the success of all those who are, at any time, in good faith struggling for their acquisition, be imputed to our citizens as a crime. With the entire freedom of opinion, and an undisguised expression thereof, on their part, the Government has neither the right, nor, I trust, the disposition to interfere. But whether the interest or the honor of the United States requires that they should be made a party to any such struggle, and, by inevitable consequence, to the war which is waged in its support, is a question which, by our constitution, is wisely left to Congress alone to decide. It is, by the laws, already made criminal in our citizens to embarrass or anticipate that decision, by unauthorized military operations on their part. Offences of this character, in addition to their criminality as violations of the laws of our country, have a direct tendency to draw down upon our own citizens at large the multiplied evils of a foreign war, and expose to injurious imputations the good faith and honor of the country. As such, they deserve to be put down with promptitude and decision. I cannot be mistaken, I am confident, in counting on the cordial and general concurrence of our fellow-citizens in this sentiment. A copy of the proclamation which I have felt it my duty to issue, is herewith communicated. I cannot but hope that the good sense and patriotism, the regard for the honor and reputation of their country, the respect for the laws which they have themselves enacted for their own government, and the love of order for which the mass of our people have been so long and so justly distinguished, will deter the comparatively few who are engaged in them from a further prosecution of such desperate enterprises. In the mean time, the existing laws have been, and will continue to be, faithfully executed ; and every effort will be made to carry them out in their full extent. Whether they are sufficient or not to meet the actual state of things on the Canadian frontier, it is for Congress to decide.

It will appear from the correspondence herewith submitted, that the Government of Russia declines a renewal of the fourth article of the convention of April, 1824, between the United States and his Imperial Majesty, by the third article of which it is agreed that " hereafter there shall not be formed by the citizens of the United States, or under the authority of the said States, any establishment upon the northwest coast of America ; nor in any of the islands adjacent, to the north of 54° 40' of north latitude ; and that in the same manner there shall be none formed by Russian subjects, or under the authority of Russia, south of the same parallel ;" and by the fourth article, " that, during a term of ten years, counting from the signature of the present convention, the ships of both Powers, or which belong to their citizens or subjects, respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbors, and creeks upon the coast mentioned in the preceding article, for the purpose of fishing and trading with the natives of the country." The reasons assigned for declining to renew the provisions of this article, are, briefly, that the only use made by our citizens of the privileges it secures to them has been to supply the Indians with spirituous liquors, ammunition, and fire-arms ; that this traffic has been excluded from the Russian trade ; and as the supplies furnished from the United States are injurious to the Russian establishments on the northwest coast, and calculated to produce complaints between the two Governments, his Imperial Majesty

thinks it for the interest of both countries not to accede to the proposition made by the American Government for the renewal of the article last referred to.

The correspondence herewith communicated will show the grounds upon which we contend that the citizens of the United States have, independent of the provisions of the convention of 1824, a right to trade with the natives upon the coast in question, at unoccupied places; liable, however, it is admitted, to be at any time extinguished by the creation of Russian establishments at such points. This right is denied by the Russian Government, which asserts that, by the operation of the treaty of 1824, each party agreed to waive the general right to land on the vacant coasts on the respective sides of the degree of latitude referred to, and accepted, in lieu thereof, the mutual privileges mentioned in the fourth article. The capital and tonnage employed by our citizens in their trade with the northwest coast of America, will, perhaps, on adverting to the official statements of the commerce and navigation of the United States for the last few years, be deemed too inconsiderable in amount to attract much attention; yet the subject may, in other respects, deserve the careful consideration of Congress.

I regret to state that the blockade of the principal ports on the eastern coast of Mexico, which, in consequence of differences between that republic and France, was instituted in May last, unfortunately still continues, enforced by a competent French naval armament, and is necessarily embarrassing to our own trade in the gulf, in common with that of other nations. Every disposition, however, is believed to exist, on the part of the French Government, to render this measure as little onerous as practicable to the interests of the citizens of the United States, and to those of neutral commerce; and it is to be hoped that an early settlement of the difficulties between France and Mexico will soon re-establish the harmonious relations formerly subsisting between them, and again open the ports of that republic to the vessels of all friendly nations.

A convention for marking that part of the boundary between the United States and the republic of Texas which extends from the mouth of the Sabine to the Red river, was concluded and signed at this city on the 25th of April last. It has since been ratified by both Governments; and seasonable measures will be taken to carry it into effect on the part of the United States.

The application of that republic for admission into this Union, made in August, 1837, and which was declined for reasons already made known to you, has been formally withdrawn, as will appear from the accompanying copy of the note of the minister plenipotentiary of Texas, which was presented to the Secretary of State on the occasion of the exchange of the ratifications of the convention above mentioned.

Copies of the convention with Texas, of a commercial treaty concluded with the King of Greece, and of a similar treaty with the Peru-Bolivian Confederation, the ratifications of which have been recently exchanged, accompany this message for the information of Congress, and for such legislative enactments as may be found necessary or expedient, in relation to either of them.

To watch over and foster the interests of a gradually increasing and widely extended commerce; to guard the rights of American citizens, whom business, or pleasure, or other motives may tempt into distant climes;

and at the same time to cultivate those sentiments of mutual respect and good-will which experience has proved so beneficial in international intercourse, the Government of the United States has deemed it expedient, from time to time, to establish diplomatic connexions with different foreign states, by the appointment of representatives to reside within their respective territories. I am gratified to be enabled to announce to you that, since the close of your last session, these relations have been opened under the happiest auspices with Austria and the Two Sicilies; that new nominations have been made in the respective missions of Russia, Brazil, Belgium, and Sweden and Norway, in this country; and that a minister extraordinary has been received, accredited to this Government, from the Argentine Confederation.

An exposition of the fiscal affairs of the Government, and of their condition for the past year, will be made to you by the Secretary of the Treasury.

The available balance in the Treasury, on the 1st of January next, is estimated at \$2,765,342. The receipts of the year, from customs and lands, will probably amount to \$20,615,598. These usual sources of revenue have been increased by an issue of Treasury notes; of which less than eight millions of dollars, including interest and principal, will be outstanding at the end of the year, and by the sale of one of the bonds of the Bank of the United States for \$2,254,871. The aggregate of means from these and other sources, with the balance on hand on the 1st of January last, has been applied to the payment of appropriations by Congress. The whole expenditure for the year on their account, including the redemption of more than eight millions of Treasury notes, constitutes an aggregate of about forty millions of dollars, and will still leave in the Treasury the balance before stated.

Nearly eight millions of dollars of Treasury notes are to be paid during the coming year, in addition to the ordinary appropriations for the support of Government. For both these purposes, the resources of the Treasury will undoubtedly be sufficient, if the charges upon it are not increased beyond the annual estimates. No excess, however, is likely to exist; nor can the postponed instalment of the surplus revenue be deposited with the States, nor any considerable appropriations beyond the estimates be made, without causing a deficiency in the Treasury. The great caution, advisable at all times, of limiting appropriations to the wants of the public service, is rendered necessary at present by the prospective and rapid reduction of the tariff; while the vigilant jealousy, evidently excited among the people by the occurrences of the last few years, assures us that they expect from their representatives, and will sustain them in the exercise of, the most rigid economy. Much can be effected by postponing appropriations not immediately required for the ordinary public service, or for any pressing emergency; and much by reducing the expenditures where the entire and immediate accomplishment of the objects in view is not indispensable.

When we call to mind the recent and extreme embarrassments produced by excessive issues of bank paper, aggravated by the unforeseen withdrawal of much foreign capital, and the inevitable derangement arising from the distribution of the surplus revenue among the States as required by Congress; and consider the heavy expenses incurred by the removal of Indian tribes, by the military operations in Florida, and on ac-

count of the unusually large appropriations made at the last two annual sessions of Congress for other objects, we have striking evidence, in the present efficient state of our finances, of the abundant resources of the country to fulfil all its obligations. Nor is it less gratifying to find that the general business of the community, deeply affected as it has been, is reviving with additional vigor, chastened by the lessons of the past, and animated by the hopes of the future. By the curtailment of paper issues; by curbing the sanguine and adventurous spirit of speculation; and by the honorable application of all available means to the fulfilment of obligations, confidence has been restored both at home and abroad, and ease and facility secured to all the operations of trade.

The agency of the Government in producing these results has been as efficient as its powers and means permitted. By withholding from the States the deposit of the fourth instalment, and leaving several millions at long credits with the banks, principally in one section of the country, and more immediately beneficial to it; and, at the same time, aiding the banks and commercial communities in other sections, by postponing the payment of bonds for duties to the amount of between four and five millions of dollars; by an issue of Treasury notes, as a means to enable the Government to meet the consequences of their indulgencies, but affording, at the same time, facilities for remittance and exchange; and by steadily declining to employ as general depositories of the public revenues, or receive the notes of, all banks which refused to redeem them with specie; by these measures, aided by the favorable action of some of the banks, and by the support and co-operation of a large portion of the community, we have witnessed an early resumption of specie payments in our great commercial capital, promptly followed in almost every part of the United States. This result has been alike salutary to the true interests of agriculture, commerce, and manufactures; to public morals, respect for the laws, and that confidence between man and man which is so essential in all our social relations.

The contrast between the suspension of 1814 and that of 1837 is most striking. The short duration of the latter; the prompt restoration of business; the evident benefits resulting from an adherence by the Government to the constitutional standard of value, instead of sanctioning the suspension by the receipt of irredeemable paper; and the advantages derived from the large amount of specie introduced into the country previous to 1837, afford a valuable illustration of the true policy of the Government in such a crisis. Nor can the comparison fail to remove the impression that a national bank is necessary in such emergencies. Not only were specie payments resumed without its aid, but exchanges have also been more rapidly restored than when it existed; thereby showing that private capital, enterprise, and prudence are fully adequate to these ends. On all these points experience seems to have confirmed the views heretofore submitted to Congress. We have been saved the mortification of seeing the distresses of the community for the third time seized on to fasten upon the country so dangerous an institution; and we may also hope that the business of individuals will hereafter be relieved from the injurious effects of a continued agitation of that disturbing subject. The limited influence of a national bank in averting derangement in the exchanges of the country, or in compelling the resumption of specie payments, is now not less apparent than its tendency to increase inordinate speculation by sud-

den expansions and contractions; its disposition to create panic and embarrassment for the promotion of its own designs; its interference with politics; and its far greater power for evil than for good, either in regard to the local institutions or the operations of Government itself. What was in these respects but apprehension or opinion when a national bank was first established, now stands confirmed by humiliating experience. The scenes through which we have passed conclusively prove how little our commerce, agriculture, manufactures, or finances, require such an institution, and what dangers are attendant on its power—a power, I trust, never to be conferred by the American people upon their Government, and still less upon individuals not responsible to them for its unavoidable abuses.

My conviction of the necessity of further legislative provisions for the safe-keeping and disbursement of the public moneys, and my opinion in regard to the measures best adapted to the accomplishment of those objects, have been already submitted to you. These have been strengthened by recent events; and, in the full conviction that time and experience must still further demonstrate their propriety, I feel it my duty, with respectful deference to the conflicting views of others, again to invite your attention to them.

With the exception of limited sums deposited in the few banks still employed under the act of 1836, the amounts received for duties, and, with very inconsiderable exceptions, those accruing from lands also, have, since the general suspension of specie payments by the deposit banks, been kept and disbursed by the Treasurer, under his general legal powers, subject to the superintendence of the Secretary of the Treasury. The propriety of defining more specifically, and of regulating by law the exercise of this wide scope of Executive discretion, has been already submitted to Congress.

A change in the office of collector at one of our principal ports has brought to light a defalcation of the gravest character, the particulars of which will be laid before you in a special report from the Secretary of the Treasury. By his report and the accompanying documents, it will be seen that the weekly returns of the defaulting officer apparently exhibited, throughout, a faithful administration of the affairs intrusted to his management. It, however, now appears that he commenced abstracting the public moneys shortly after his appointment, and continued to do so, progressively increasing the amount, for the term of more than seven years, embracing a portion of the period during which the public moneys were deposited in the Bank of the United States, the whole of that of the State bank deposit system, and concluding only on his retirement from office, after that system had substantially failed, in consequence of the suspension of specie payments.

The way in which this defalcation was so long concealed, and the steps taken to indemnify the United States, as far as practicable, against loss, will also be presented to you. The case is one which imperatively claims the attention of Congress, and furnishes the strongest motive for the establishment of a more severe and secure system for the safe-keeping and disbursement of the public moneys than any that has heretofore existed.

It seems proper, at all events, that, by an early enactment, similar to that of other countries, the application of public money by an officer of Government to private uses should be made a felony, and visited with severe and ignominious punishment. This is already, in effect, the law in respect to

the Mint, and has been productive of the most salutary results. Whatever system is adopted, such an enactment would be wise as an independent measure, since much of the public moneys must, in their collection and ultimate disbursement, pass twice through the hands of public officers, in whatever manner they are intermediately kept. The Government, it must be admitted, has been from its commencement comparatively fortunate in this respect. But the appointing power cannot always be well advised in its selections, and the experience of every country has shown that public officers are not at all times proof against temptation. It is a duty, therefore, which the Government owes, as well to the interests committed to its care as to the officers themselves, to provide every guard against transgressions of this character that is consistent with reason and humanity. Congress cannot be too jealous of the conduct of those who are intrusted with the public money, and I shall at all times be disposed to encourage a watchful discharge of this duty. If a more direct co-operation on the part of Congress, in the supervision of the conduct of the officers intrusted with the custody and application of the public money is deemed desirable, it will give me pleasure to assist in the establishment of any judicious and constitutional plan by which that object may be accomplished. You will, in your wisdom, determine upon the propriety of adopting such a plan, and upon the measures necessary to its effectual execution. When the late Bank of the United States was incorporated, and made the depository of the public moneys, a right was reserved to Congress to inspect, at its pleasure, by a committee of that body, the books and the proceedings of the bank. In one of the States, whose banking institutions are supposed to rank amongst the first in point of stability, they are subjected to constant examination by commissioners appointed for that purpose, and much of the success of its banking system is attributed to this watchful supervision.

The same course has also, in view of its beneficial operation, been adopted by an adjoining State, favorably known for the care it has always bestowed upon whatever relates to its financial concerns. I submit to your consideration whether a committee of Congress might not be profitably employed in inspecting, at such intervals as might be deemed proper, the affairs and accounts of officers intrusted with the custody of the public moneys. The frequent performance of this duty might be made obligatory on the committee in respect to those officers who have large sums in their possession, and left discretionary in respect to others. They might report to the Executive such defalcations as were found to exist, with a view to a prompt removal from office, unless the default was satisfactorily accounted for; and report, also, to Congress, at the commencement of each session, the result of their examinations and proceedings. It does appear to me that, with a subjection of this class of public officers to the general supervision of the Executive, to examinations by a committee of Congress at periods of which they should have no previous notice, and to prosecution and punishment as for felony for every breach of trust, the safe-keeping of the public moneys might, under the system proposed, be placed on a surer foundation than it has ever occupied since the establishment of the Government.

The Secretary of the Treasury will lay before you additional information containing new details on this interesting subject. To these I ask your early attention. That it should have given rise to great diversity of opinion, cannot be a subject of surprise. After the collection and

custody of the public moneys had been for so many years connected with, and made subsidiary to, the advancement of private interests, a return to the simple self-denying ordinances of the constitution could not but be difficult. But time and free discussion, eliciting the sentiments of the people, and aided by that conciliatory spirit which has ever characterized their course on great emergencies, were relied upon for a satisfactory settlement of the question. Already has this anticipation on one important point at least—the impropriety of diverting public money to private purposes—been fully realized. There is no reason to suppose that legislation upon that branch of the subject would now be embarrassed by a difference of opinion, or fail to receive the cordial support of a large majority of our constituents. The connexion which formerly existed between the Government and banks was in reality injurious to both, as well as to the general interests of the community at large. It aggravated the disasters of trade and the derangements of commercial intercourse, and administered new excitements and additional means to wild and reckless speculations, the disappointment of which threw the country into convulsions of panic, and all but produced violence and bloodshed. The imprudent expansion of bank credits, which was the natural result of the command of the revenues of the state, furnished the resources for unbounded license in every species of adventure, seduced industry from its regular and salutary occupations by the hope of abundance without labor, and deranged the social state by tempting all trades and professions into the vortex of speculation on remote contingencies.

The same wide-spreading influence impeded also the resources of the Government, curtailed its useful operations, embarrassed the fulfilment of its obligations, and seriously interfered with the execution of the laws. Large appropriations and oppressive taxes are the natural consequences of such a connexion, since they increase the profits of those who are allowed to use the public funds, and make it their interest that money should be accumulated and expenditures multiplied. It is thus that a concentrated money-power is tempted to become an active agent in political affairs, and all past experience has shown on which side that influence will be arrayed. We deceive ourselves if we suppose that it will ever be found asserting and supporting the rights of the community at large, in opposition to the claims of the few.

In a Government whose distinguishing characteristic should be a diffusion and equalization of its benefits and burdens, the advantage of individuals will be augmented at the expense of the community at large. Nor is it the nature of combinations for the acquisition of legislative influence to confine their interference to the single object for which they were originally formed. The temptation to extend it to other matters is, on the contrary, not unfrequently too strong to be resisted. The rightful influence, in the direction of public affairs, of the mass of the people is, therefore, in no slight danger of being sensibly and injuriously affected by giving to a comparatively small, but very efficient class, a direct and exclusive personal interest in so important a portion of the legislation of Congress as that which relates to the custody of the public moneys. If laws acting upon private interests cannot always be avoided, they should be confined within the narrowest limits, and left, wherever possible, to the Legislatures of the States. When not thus restricted, they lead to combinations of

powerful associations, foster an influence necessarily selfish, and turn the fair course of legislation to sinister ends, rather than to objects that advance public liberty and promote the general good.

The whole subject now rests with you ; and I cannot but express a hope that some definite measure will be adopted at the present session.

It will not, I am sure, be deemed out of place for me here to remark, that the declaration of my views in opposition to the policy of employing banks as depositories of the Government funds cannot justly be construed as indicative of hostility, official or personal, to those institutions ; or to repeat, in this form, and in connexion with this subject, opinions which I have uniformly entertained, and on all proper occasions expressed. Though always opposed to their creation in the form of exclusive privileges, and, as a state magistrate, aiming by appropriate legislation to secure the community against the consequences of their occasional mismanagement, I have yet ever wished to see them protected in the exercise of rights conferred by law, and have never doubted their utility, when properly managed, in promoting the interests of trade, and, through that channel, the other interests of the community. To the General Government they present themselves merely as State institutions, having no necessary connexion with its legislation or its administration. Like other State establishments, they may be used, or not, in conducting the affairs of the Government, as public policy and the general interests of the Union may seem to require. The only safe or proper principle upon which their intercourse with the Government can be regulated, is that which regulates their intercourse with the private citizen—the conferring of mutual benefits. When the Government can accomplish a financial operation better with the aid of the banks than without it, it should be at liberty to seek that aid as it would the services of a private banker, or other capitalist, or agent, giving the preference to those who will serve it on the best terms. Nor can there ever exist an interest in the officers of the General Government, as such, inducing them to embarrass or annoy the State banks, any more than to incur the hostility of any other class of State institutions, or of private citizens. It is not in the nature of things that hostility to these institutions can spring from this source, or any opposition to their course of business, except when they themselves depart from the objects of their creation, and attempt to usurp powers not conferred upon them, or to subvert the standard of value established by the constitution. While opposition to their regular operations cannot exist in this quarter, resistance to any attempt to make the Government dependent upon them for the successful administration of public affairs, is a matter of duty, as I trust it ever will be of inclination, no matter from what motive or consideration the attempt may originate.

It is no more than just to the banks to say, that, in the late emergency, most of them firmly resisted the strongest temptations to extend their paper issues, when apparently sustained in a suspension of specie payments by public opinion, even though in some cases invited by legislative enactments. To this honorable course, aided by the resistance of the General Government, acting in obedience to the constitution and laws of the United States, to the introduction of an irredeemable paper medium, may be attributed, in a great degree, the speedy restoration of our currency to a sound state, and the business of the country to its wonted prosperity. The banks have but to continue in the same safe course, and be content in their appropriate sphere, to avoid all interference from the General Gov-

ernment, and to derive from it all the protection and benefits which it bestows on other State establishments, on the people of the States, and on the States themselves. In this, their true position, they cannot but secure the confidence and good-will of the people and the Government, which they can only lose when, leaping from their legitimate sphere, they attempt to control the legislation of the country, and pervert the operations of the Government to their own purposes.

Our experience under the act passed at the last session, to grant pre-emption rights to settlers on the public lands, has as yet been too limited to enable us to pronounce with safety upon the efficacy of its provisions to carry out the wise and liberal policy of the Government in that respect. There is, however, the best reason to anticipate favorable results from its operation. The recommendations formerly submitted to you, in respect to a graduation of the price of the public lands, remain to be finally acted upon. Having found no reason to change the views then expressed, your attention to them is again respectfully requested.

Every proper exertion has been made, and will be continued, to carry out the wishes of Congress in relation to the tobacco trade, as indicated in the several resolutions of the House of Representatives and the legislation of the two branches. A favorable impression has, I trust, been made in the different foreign countries to which particular attention has been directed; and although we cannot hope for an early change in their policy, as in many of them a convenient and large revenue is derived from monopolies in the fabrication and sale of this article, yet, as these monopolies are really injurious to the people where they are established, and the revenue derived from them may be less injuriously and with equal facility obtained from another and a liberal system of administration, we cannot doubt that our efforts will be eventually crowned with success, if persisted in with temperate firmness, and sustained by prudent legislation.

In recommending to Congress the adoption of the necessary provisions at this session for taking the next census, or enumeration of the inhabitants of the United States, the suggestion presents itself whether the scope of the measure might not be usefully extended by causing it to embrace authentic statistical returns of the great interests specially intrusted to, or necessarily affected by, the legislation of Congress.

The accompanying report of the Secretary of War presents a satisfactory account of the state of the army and of the several branches of the public service confided to the superintendence of that officer.

The law increasing and organizing the military establishment of the United States has been nearly carried into effect, and the army has been extensively and usefully employed during the past season.

I would again call to your notice the subjects connected with and essential to the military defences of the country, which were submitted to you at the last session, but which were not acted upon, as is supposed, for want of time. The most important of them is the organization of the militia on the maritime and inland frontiers. This measure is deemed important, as it is believed that it will furnish an effective volunteer force in aid of the regular army, and may form the basis of a general system of organization for the entire militia of the United States. The erection of a national foundry and gunpowder manufactory, and one for making small-arms—the latter to be situated at some point west of the Alleghany mountains—all appear to be of sufficient importance to be again urged upon your attention.

The plan proposed by the Secretary of War, for the distribution of the forces of the United States in time of peace, is well calculated to promote regularity and economy in the fiscal administration of the service, to preserve the discipline of the troops, and to render them available for the maintenance of the peace and tranquillity of the country. With this view, likewise, I recommend the adoption of the plan presented by that officer for the defence of the Western frontier. The preservation of the lives and property of our fellow-citizens who are settled upon that border country, as well as the existence of the Indian population, which might be tempted, by our want of preparation, to rush on their own destruction and attack the white settlements, all seem to require that this subject should be acted upon without delay, and the War Department authorized to place that country in a state of complete defence against any assault from the numerous and warlike tribes which are congregated on that border.

It affords me sincere pleasure to be able to apprise you of the entire removal of the Cherokee nation of Indians to their new homes west of the Mississippi. The measures authorized by Congress at its last session, with a view to the long-standing controversy with them, have had the happiest effects. By an agreement concluded with them by the commanding general in that country, who has performed the duties assigned to him on the occasion with commendable energy and humanity, their removal has been principally under the conduct of their own chiefs, and they have emigrated without any apparent reluctance.

The successful accomplishment of this important object; the removal, also, of the entire Creek nation, with the exception of a small number of fugitives amongst the Seminoles in Florida; the progress already made towards a speedy completion of the removal of the Chickasaws, the Choctaws, the Pottawatamies, the Ottawas, and the Chippewas, with the extensive purchases of Indian lands during the present year, have rendered the speedy and successful result of the long-established policy of the Government upon the subject of Indian affairs entirely certain. The occasion is, therefore, deemed a proper one to place this policy in such a point of view as will exonerate the Government of the United States from the undeserved reproach which has been cast upon it through several successive administrations. That a mixed occupancy of the same territory, by the white and red man, is incompatible with the safety or happiness of either, is a position in respect to which there has long since ceased to be room for a difference of opinion. Reason and experience have alike demonstrated its impracticability. The bitter fruits of every attempt heretofore to overcome the barriers interposed by nature, have only been destruction, both physical and moral, to the Indian; dangerous conflicts of authority between the Federal and State Governments; and detriment to the individual prosperity of the citizen, as well as to the general improvement of the country. The remedial policy, the principles of which were settled more than thirty years ago, under the administration of Mr. Jefferson, consists in an extinction, for a fair consideration, of the title to all the lands still occupied by the Indians within the States and Territories of the United States; their removal to a country west of the Mississippi, much more extensive, and better adapted to their condition than that on which they then resided; the guaranty to them, by the United States, of their exclusive possession of that country forever, exempt from all intrusions by white men, with ample provisions for their security against ex-

ternal violence and internal dissensions, and the extension to them of suitable facilities for their advancement in civilization. This has not been the policy of particular administrations only, but of each in succession, since the first attempt to carry it out under that of Mr. Monroe. All have labored for its accomplishment, only with different degrees of success. The manner of its execution has, it is true, from time to time given rise to conflicts of opinion and unjust imputations; but, in respect to the wisdom and necessity of the policy itself, there has not, from the beginning, existed a doubt in the mind of any calm, judicious, disinterested friend of the Indian race, accustomed to reflection and enlightened by experience.

Occupying the double character of contractor on its own account, and guardian for the parties contracted with, it was hardly to be expected that the dealings of the Federal Government with the Indian tribes would escape misrepresentation. That there occurred in the early settlement of this country, as in all others where the civilized race has succeeded to the possessions of the savage, instances of oppression and fraud on the part of the former, there is too much reason to believe. No such offences can, however, be justly charged upon this Government since it became free to pursue its own course. Its dealings with the Indian tribes have been just and friendly throughout; its efforts for their civilization constant, and directed by the best feelings of humanity; its watchfulness in protecting them from individual frauds unremitting; its forbearance under the keenest provocations, the deepest injuries, and the most flagrant outrages, may challenge at least a comparison with any nation, ancient or modern, in similar circumstances; and if in future times a powerful, civilized, and happy nation of Indians shall be found to exist within the limits of this northern continent, it will be owing to the consummation of that policy which has been so unjustly assailed. Only a very brief reference to facts in confirmation of this assertion can in this form be given, and you are, therefore, necessarily referred to the report of the Secretary of War for further details. To the Cherokees, whose case has perhaps excited the greatest share of attention and sympathy, the United States have granted in fee, with a perpetual guaranty of exclusive and peaceable possession, 13,554,135 acres of land, on the west side of the Mississippi, eligibly situated, in a healthy climate, and in all respects better suited to their condition than the country they have left, in exchange for only 9,492,160 acres on the east side of the same river. The United States have, in addition, stipulated to pay them five million six hundred thousand dollars for their interests in and improvements on the lands thus relinquished, and one million one hundred and sixty thousand dollars for subsistence and other beneficial purposes; thereby putting it in their power to become one of the most wealthy and independent separate communities, of the same extent, in the world.

By the treaties made and ratified with the Miamies, the Chippewas, the Sioux, the Sacs and Foxes, and the Winnebagoes, during the last year, the Indian title to eighteen million four hundred and fifty-eight thousand acres has been extinguished. These purchases have been much more extensive than those of any previous year, and have, with other Indian expenses, borne very heavily upon the treasury. They leave, however, but a small quantity of unbought Indian lands within the States and Territories; and the Legislature and Executive were equally sensible of the propriety of a final and more speedy extinction of Indian titles within

those limits. The treaties which were, with a single exception, made in pursuance of previous appropriations for defraying the expenses, have subsequently been ratified by the Senate, and received the sanction of Congress by the appropriations necessary to carry them into effect. Of the terms upon which these important negotiations were concluded, I can speak from direct knowledge; and I feel no difficulty in affirming that the interest of the Indians in the extensive territory embraced by them is to be paid for at its fair value, and that no more favorable terms have been granted to the United States than would have been reasonably expected in a negotiation with civilized men, fully capable of appreciating and protecting their own rights. For the Indian title to 116,349,897 acres, acquired since the 4th of March, 1829, the United States have paid \$72,560,056 in permanent annuities, lands, reservations for Indians, expenses of removal and subsistence, merchandise, mechanical and agricultural establishments and implements. When the heavy expenses incurred by the United States, and the circumstance that so large a portion of the entire territory will be forever unsaleable, are considered, and this price is compared with that for which the United States sell their own lands, no one can doubt that justice has been done to the Indians in these purchases also. Certain it is, that the transactions of the Federal Government with the Indians have been uniformly characterized by a sincere and paramount desire to promote their welfare; and it must be a source of the highest gratification to every friend to justice and humanity to learn that, notwithstanding the obstructions from time to time thrown in its way, and the difficulties which have arisen from the peculiar and impracticable nature of the Indian character, the wise, humane, and undeviating policy of the Government in this, the most difficult of all our relations, foreign or domestic, has at length been justified to the world in its near approach to a happy and certain consummation.

The condition of the tribes which occupy the country set apart for them in the West, is highly prosperous, and encourages the hope of their early civilization. They have, for the most part, abandoned the hunter state, and turned their attention to agricultural pursuits. All those who have been established for any length of time in that fertile region, maintain themselves by their own industry. There are among them traders of no inconsiderable capital, and planters exporting cotton to some extent; but the greater number are small agriculturists, living in comfort upon the produce of their farms. The recent emigrants, although they have in some instances removed reluctantly, have readily acquiesced in their unavoidable destiny. They have found at once a recompense for past sufferings, and an incentive to industrious habits, in the abundance and comforts around them. There is reason to believe that all these tribes are friendly in their feelings towards the United States; and it is to be hoped that the acquisition of individual wealth, the pursuits of agriculture, and habits of industry, will gradually subdue their warlike propensities, and incline them to maintain peace among themselves. To effect this desirable object, the attention of Congress is solicited to the measures recommended by the Secretary of War, for their future government and protection, as well from each other as from the hostility of the warlike tribes around them, and the intrusions of the whites. The policy of the Government has given them a permanent home, and guarantied to them its peaceful and undisturbed possession. It only remains to give them a government and laws

which will encourage industry, and secure to them the rewards of their exertions. The importance of some form of government cannot be too much insisted upon. The earliest effects will be to diminish the causes and occasions for hostilities among the tribes, to inspire an interest in the observance of laws to which they will have themselves assented, and to multiply the securities of property, and the motives for self-improvement. Intimately connected with this subject, is the establishment of the military defences recommended by the Secretary of War, which have been already referred to. Without them, the Government will be powerless to redeem its pledge of protection to the emigrating Indians against the numerous warlike tribes that surround them, and to provide for the safety of the frontier settlers of the bordering States.

The case of the Seminoles constitutes at present the only exception to the successful efforts of the Government to remove the Indians to the homes assigned them west of the Mississippi. Four hundred of this tribe emigrated in 1836, and fifteen hundred in 1837 and 1838, leaving in the country, it is supposed, about two thousand Indians. The continued treacherous conduct of these people; the savage and unprovoked murders they have lately committed, butchering whole families of the settlers of the Territory, without distinction of age or sex, and making their way into the very centre and heart of the country, so that no part of it is free from their ravages; their frequent attacks on the light-houses along that dangerous coast; and the barbarity with which they have murdered the passengers and crews of such vessels as have been wrecked upon the reefs and keys which border the Gulf, leave the Government no alternative but to continue the military operations against them until they are totally expelled from Florida.

There are other motives which would urge the Government to pursue this course towards the Seminoles. The United States have fulfilled in good faith all their treaty stipulations with the Indian tribes, and have, in every other instance, insisted upon a like performance of their obligations. To relax from this salutary rule because the Seminoles have maintained themselves so long in the Territory they had relinquished, and, in defiance of their frequent and solemn engagements, still continue to wage a ruthless war against the United States, would not only evince a want of constancy on our part, but be of evil example in our intercourse with other tribes. Experience has shown that but little is to be gained by the march of armies through a country so intersected with inaccessible swamps and marshes, and which, from the fatal character of the climate, must be abandoned at the end of the winter. I recommend, therefore, to your attention the plan submitted by the Secretary of War in the accompanying report, for the permanent occupation of the portion of the Territory freed from the Indians, and the more efficient protection of the people of Florida from their inhuman warfare.

From the report of the Secretary of the Navy, herewith transmitted, it will appear that a large portion of the disposable naval force is either actively employed, or in a state of preparation for the purposes of experience and discipline, and the protection of our commerce. So effectual has been this protection, that, so far as the information of Government extends, not a single outrage has been attempted on a vessel carrying the flag of the United States, within the present year, in any quarter, however distant or exposed.

The exploring expedition sailed from Norfolk on the 19th of August last ; and information has been received of its safe arrival at the island of Madeira. The best spirit animates the officers and crews, and there is every reason to anticipate, from its efforts, results beneficial to commerce and honorable to the nation.

It will also be seen that no reduction of the force now in commission is contemplated. The unsettled state of a portion of South America renders it indispensable that our commerce should receive protection in that quarter ; the vast and increasing interests embarked in the trade of the Indian and China seas, in the whale-fisheries of the Pacific ocean, and in the Gulf of Mexico, require equal attention to their safety ; and a small squadron may be employed to great advantage on our Atlantic coast, in meeting sudden demands for the reinforcement of other stations, in aiding merchant vessels in distress, in affording active service to an additional number of officers, and in visiting the different ports of the United States, an accurate knowledge of which is obviously of the highest importance.

The attention of Congress is respectfully called to that portion of the report recommending an increase in the number of smaller vessels, and to other suggestions contained in that document. The rapid increase and wide expansion of our commerce, which is every day seeking new avenues of profitable adventure ; the absolute necessity of a naval force for its protection, precisely in the degree of its extension ; a due regard to the national rights and honor ; the recollection of its former exploits, and the anticipation of its future triumphs whenever opportunity presents itself, which we may rightfully indulge from the experience of the past ; all seem to point to the navy as a most efficient arm of our national defence, and a proper object of legislative encouragement.

The progress and condition of the Post Office Department will be seen by reference to the report of the Postmaster General. The extent of post roads covered by mail contracts is stated to be 134,818 miles, and the annual transportation upon them 34,580,202 miles. The number of post offices in the United States is 12,553, and rapidly increasing. The gross revenue for the year ending on the 30th day of June last was \$4,262,145 ; the accruing expenditures, \$4,680,068 ; excess of expenditures, \$417,923. This has been made up out of the surplus previously on hand. The cash on hand on the 1st instant was \$314,068. The revenue for the year ending June 30, 1838, was \$161,540 more than that for the year ending June 30, 1837. The expenditures of the Department had been graduated upon the anticipation of a largely increased revenue. A moderate curtailment of mail service consequently became necessary, and has been effected, to shield the Department against the danger of embarrassment. Its revenue is now improving, and it will soon resume its onward course in the march of improvement.

Your particular attention is requested to so much of the Postmaster General's report as relates to the transportation of the mails upon railroads. The laws on that subject do not seem adequate to secure that service, now become almost essential to the public interests, and, at the same time, protect the Department from combinations and unreasonable demands.

Nor can I too earnestly request your attention to the necessity of providing a more secure building for this Department. The danger of destruction to which its important books and papers are continually ex-

posed, as well from the highly combustible character of the building occupied, as from that of others in the vicinity, calls loudly for prompt action.

Your attention is again earnestly invited to the suggestions and recommendations submitted at the last session in respect to the District of Columbia.

I feel it my duty, also, to bring to your notice certain proceedings at law which have recently been prosecuted in this District, in the name of the United States, on the relation of Messrs. Stockton & Stokes, of the State of Maryland, against the Postmaster General, and which have resulted in the payment of money out of the national treasury, for the first time since the establishment of the Government, by judicial compulsion exercised by the common-law writ of mandamus issued by the circuit court of this District.

The facts of the case, and the grounds of the proceedings, will be found fully stated in the report of the decision; and any additional information which you may desire will be supplied by the proper department. No interference in the particular case is contemplated. The money has been paid; the claims of the prosecutors have been satisfied; and the whole subject, so far as they are concerned, is finally disposed of: but it is on the supposition that the case may be regarded as an authoritative exposition of the law as it now stands, that I have thought it necessary to present it to your consideration.

The object of the application to the circuit court was to compel the Postmaster General to carry into effect an award made by the Solicitor of the Treasury, under a special act of Congress for the settlement of certain claims of the relators on the Post Office Department; which award the Postmaster General declined to execute in full, until he should receive further legislative direction on the subject. If the duty imposed on the Postmaster General, by that law, was to be regarded as one of an official nature, belonging to his office as a branch of the Executive, then it is obvious that the constitutional competency of the Judiciary to direct and control him in its discharge was necessarily drawn in question. And if the duty so imposed on the Postmaster General was to be considered as merely ministerial, and not executive, it yet remained to be shown that the circuit court of this District had authority to interfere by mandamus—such a power having never before been asserted or claimed by that court. With a view to the settlement of these important questions, the judgment of the circuit court was carried, by a writ of error, to the Supreme Court of the United States. In the opinion of that tribunal, the duty imposed on the Postmaster General was not an official executive duty, but one of a merely ministerial nature. The grave constitutional questions which had been discussed were, therefore, excluded from the decision of the case; the court, indeed, expressly admitting that, with powers and duties properly belonging to the Executive, no other department can interfere by the writ of mandamus; and the question, therefore, resolved itself into this: Has Congress conferred upon the circuit court of this District the power to issue such a writ to an officer of the General Government, commanding him to perform a ministerial act? A majority of the court have decided that it has, but have founded their decision upon a process of reasoning which, in my judgment, renders further legislative provision indispensable to the public interests and the equal administration of justice.

It has long since been decided by the Supreme Court, that neither that tribunal, nor the circuit courts of the United States held within the respective States, possess the power in question; but it is now held that this power, denied to both of these high tribunals, (to the former by the constitution, and to the latter by Congress,) has been, by its legislation, vested in the circuit court of this District. No such direct grant of power to the circuit court of this District is claimed; but it has been held to result, by necessary implication, from several sections of the law establishing the court. One of these sections declares that the laws of Maryland, as they existed at the time of the cession, should be in force in that part of the District ceded by that State; and, by this provision, the common law, in civil and criminal cases, as it prevailed in Maryland in 1801, was established in that part of the District.

In England, the Court of King's Bench—because the sovereign, who, according to the theory of the constitution, is the fountain of justice, originally sat there in person, and is still deemed to be present, in construction of law—alone possesses the high power of issuing the writ of mandamus, not only to inferior jurisdictions and corporations, but also to magistrates and others, commanding them, in the King's name, to do what their duty requires, in cases where there is a vested right, and no other specific remedy. It has been held, in the case referred to, that as the Supreme Court of the United States is, by the constitution, rendered incompetent to exercise this power, and as the circuit court of this District is a court of general jurisdiction in cases at common law, and the highest court of original jurisdiction in the District, the right to issue the writ of mandamus is incident to its common-law powers. Another ground relied upon to maintain the power in question, is, that it was included, by fair construction, in the powers granted to the circuit courts of the United States, by the act "to provide for the more convenient organization of the courts of the United States," passed 13th February, 1801; that the act establishing the circuit court of this District, passed the 27th day of February, 1801, conferred upon that court and the judges thereof the same powers as were by law vested in the circuit courts of the United States and in the judges of the said courts; that the repeal of the first mentioned act, which took place in the next year, did not divest the circuit court of this District of the authority in dispute, but left it still clothed with the powers over the subject, which, it is conceded, were taken away from the circuit courts of the United States by the repeal of the act of 13th February, 1801.

Admitting that the adoption of the laws of Maryland for a portion of this District confers on the circuit court thereof, in that portion, the transcendent extra-judicial prerogative powers of the Court of King's Bench in England, or that either of the acts of Congress, by necessary implication, authorizes the former court to issue a writ of mandamus to an officer of the United States, to compel him to perform a ministerial duty, the consequences are, in one respect, the same. The result in either case is, that the officers of the United States, stationed in different parts of the United States, are, in respect to the performance of their official duties, subject to different laws and a different supervision; those in the States to one rule, and those in the District of Columbia to another and a very different one. In the District their official conduct is subject to a judicial control, from which in the States they are exempt.

Whatever difference of opinion may exist as to the expediency of vest-

ing such a power in the Judiciary, in a system of government constituted like that of the United States, all must agree that these disparaging discrepancies in the law and in the administration of justice ought not to be permitted to continue; and, as Congress alone can provide the remedy, the subject is unavoidably presented to your consideration.

M. VAN BUREN.

WASHINGTON, December 3, 1838.

The said message having been read, it was,

On motion of Mr. Haynes,

Ordered, That the message of the President of the United States be committed to the Committee of the Whole House on the state of the Union; and that fifteen thousand copies thereof, with the accompanying documents, and five thousand copies thereof, without the accompanying documents, be printed for the use of the members of this House; the copies without the documents to be furnished within two days.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting the annual report on the state of the finances, to which is appended an estimate of appropriations necessary for the service of the year 1839, with sundry statements in relation to appropriations for preceding years; which letter and report, with accompanying documents, were ordered to lie on the table, and ten thousand copies thereof, extra, were directed to be printed for the use of the members.

The Speaker laid before the House a letter from the Secretary of State, transmitting the annual statements of the expenditures on account of contingencies in his Department, and of foreign missions and intercourse; which letter and statements were laid on the table.

A motion was made by Mr. Logan that the House do come to the following resolution:

Resolved, That the widow of Walter S. Franklin, deceased, late Clerk to the House of Representatives of the United States, be allowed and paid, out of the contingent fund, his salary as Clerk aforesaid, up to the 3d day of December, 1838.

And on the question that the House do agree to the said resolution,

It passed in the affirmative, { Yeas, 93,
Nays, 63.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
John T. Andrews
William Beatty
Cyrus Beers
John Bell
Bennet Bicknell
Richard Biddle
William Key Bond
Nathaniel B. Borden
George N. Briggs
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
Zadok Casey
John Chaney
Thomas Corwin

Mr. John W. Crockett
Caleb Cushing
Edward Darlington
Thomas Daves
Edward Davies
John I. De Graff
John Ewing
James Farrington
Richard Fletcher
Henry A. Foote
Jacob Fry, jr.
Thomas Glascock
Patrick G. Goode
Hiram Gray
George Grennell, jr.
Robert H. Hammond
William S. Hastings
Thomas Henry
Orrin Holt

Mr. Benjamin C. Howard
Edward B. Hubley
Samuel Ingham
Thomas B. Jackson
Daniel Jenifer
William Cost Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Levi Lincoln
Henry Logan
Arphaxed Loomis
John P. B. Maxwell
Robert McClellan
Thomas M. T. McKennan
Charles F. Mercer
John J. Milligan

Mr. Ely Moore
 Mathias Morris
 Samuel W. Morris
 Calvary Morris
 Charles Naylor
 William H. Noble
 Joseph C. Noyes
 William Parmenter
 David Petrikin
 Arnold Plumer
 John Pope
 David Potts, jr.

Mr. Luther Reily
 Joseph Ridgway
 Edward Robinson
 John Sergeant
 Daniel Sheffer
 William Slade
 William W. Southgate
 James B. Spencer
 Edward Stanly
 Archibald Stuart
 Charles C. Stratton
 Henry Swearingen

Mr. John Taliaferro
 Joseph L. Tillinghast
 George W. Toland
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 Thomas T. Whittlesey
 Joseph L. Williams
 Thomas J. Word
 John T. H. Worthington
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Charles G. Atherton
 Linn Banks
 C. C. Cambreleng
 William B. Campbell
 William B. Carter
 Richard Cheatham
 Walter Coles
 Henry W. Connor
 Robert B. Cranston
 Edward Curtis
 Samuel Cushman
 William C. Dawson
 Edmund Deberry
 George C. Dromgoole
 George H. Dunn
 John Fairfield
 Millard Fillmore
 James Garland
 Joshua R. Giddings
 William Graham
 Seaton Grantland

Mr. William J. Graves
 John K. Griffin
 William Halsted
 Richard Hawes
 Micajah T. Hawkins
 Charles E. Haynes
 William Herod
 George W. Hopkins
 Jabez Jackson
 Joseph Johnson
 John W. Jones
 Dixon H. Lewis
 Richard P. Marvin
 James M. Mason
 Joshua L. Martin
 Abram P. Maury
 James J. McKay
 Abraham McClellan
 Richard H. Menefee
 Charles F. Mitchell
 William S. Morgan

Mr. James A. Pearce
 Luther C. Peck
 Lancelot Phelps
 Harvey Putnam
 James Rariden
 John Reed
 Francis E. Rives
 John Robertson
 David Russell
 Augustine H. Shepperd
 Ebenezer J. Shields
 Mark H. Sibley
 William Stone
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 Joseph R. Underwood
 Albert S. White
 Jared W. Williams
 Christopher H. Williams
 Henry A. Wise.

And then, at a quarter past three o'clock, the House adjourned unto-morrow, twelve o'clock meridian.

WEDNESDAY, DECEMBER 5, 1838.

Two other members, viz :

From the State of Massachusetts—Leverett Saltonstall, elected to supply the vacancy occasioned by the resignation of Stephen C. Phillips ;

From the State of Louisiana—Rice Garland, appeared, and took their seats ; the oath to support the constitution of the United States being first administered to Mr. Saltonstall, according to law.

The Speaker laid before the House sundry communications, viz :

I. A letter from the Treasurer of the United States, transmitting copies of his accounts for the first and second quarters of the year 1837, and explanatory of the reasons which have occasioned the delay in sending in these accounts : which letter and accounts were laid on the table.

II. A letter from the Clerk of the House, enclosing the statement of the expenditure of the House, paid out of the contingent fund for the past year, as required by the appropriation act of 9th of May, 1836 ; which letter and statement were laid on the table.

III. A letter from the Commissioner of the Public Buildings in the city of Washington, accompanied by copies of contracts made by him from May 7, 1838, to December 1, 1838, with the names of applicants for contracts, called for by the House at the last session of Congress ; which letter was ordered to lie on the table.

Mr. Fillmore announced to the House, that his colleague, William Pat-

terson, one of the members of this House from the State of New York, died during the late recess of Congress, at his residence in the town of Warsaw, in the said State; and thereupon moved the following resolutions; which were read, and agreed to *unanimously*, viz:

1. *Resolved, unanimously*, That this House has received, with deep sensibility, the annunciation of the death of the honorable William Paterson, a Representative from the State of New York.

2. *Resolved, unanimously*, That the members of this House will testify their respect for the memory of the deceased by wearing crape on the left arm for thirty days.

Mr. Gray announced to the House that his colleague, Andrew De Witt Bruyn, one of the members of this House from the State of New York, died during the late recess of Congress, at his residence in the town of Ithaca, in the said State; and thereupon moved the following resolution; which was read, and agreed to *unanimously*, viz:

Resolved, That the members of this House tender to the relatives of the deceased its sympathy on this mournful event, and will testify their respect for the memory of Andrew De Witt Bruyn, deceased, late a member of this House from the State of New York, by wearing crape on the left arm for thirty days.

And then, as a further mark of respect for the memory of the two deceased members,

The House adjourned, at half-past twelve o'clock, until to-morrow twelve o'clock meridian.

THURSDAY, DECEMBER 6, 1838.

Several other members appeared, and took their seats, viz:

From the State of North Carolina—James Graham.

From the State of South Carolina—Francis W. Pickens and Hugh S. Legare.

From the State of Ohio—Alexander Duncan and William H. Hunter.

The consideration of the subject of the right to a seat in this House, as the delegate from the Territory of Wisconsin, which was on Monday last postponed until to-day, was announced from the Chair; when it was

Ordered, That the consideration of the subject be further postponed until Monday next.

On motion of Mr. Heman Allen,

Resolved, That the Clerk of this House furnish the members thereof with the usual plan of the Hall, showing the seat of each member.

Mr. Dromgoole submitted the following resolution; which was read, and laid on the table one day, under the rule:

Resolved, That the following be added to the standing rules of the House, to be inserted between the tenth and eleventh rules, viz:

"In all cases of election by the House, the vote shall be taken *viva voce*."

Mr. John Quincy Adams, in pursuance of notice previously given, asked leave to introduce a bill to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof; and leave being granted,

Mr. Adams introduced the said bill (No. 890;) which bill was read the first and second time, and was committed to a select committee; and

Mr. John Quincy Adams, Mr. Toucey, Mr. Elmore, Mr. Rariden, Mr.

Grennell, Mr. Grantland, Mr. Clark, Mr. Henry, and Mr. Coffin, were appointed said select committee.

On motion of Mr. Grennell,

Ordered, That when the House adjourn to-day, it adjourn to meet again on Monday next.

The Speaker laid before the House a letter from the Commissioner of the General Land Office, transmitting a report in relation to certain lands belonging to Anthony Shane and Louis Godfroy, as required of him by the act of Congress of the 28th June, 1838; which report was ordered to lie on the table.

Mr. John Quincy Adams submitted the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the President of the United States be requested to cause to be transmitted to this House copies of any report or communication received from Andrew Stevenson, envoy extraordinary and minister plenipotentiary of the United States at the Court of London, relating to a controversy in the public newspapers between him and Daniel O'Connell, a member of the Parliament of the United Kingdom of Great Britain and Ireland, in which controversy were involved the personal integrity of the said Stevenson, and the honor and interest of this country, whose representative he is.

2. That the President of the United States be requested to inform this House whether any call has been made by him, or by his direction, upon the said Andrew Stevenson, to explain or account for his notorious violation of the laws of nations, of the laws of the land to which he was accredited as an ambassador of peace, and of the privileges of the British House of Commons, in the person of one of its members; whether any instructions have been given to the said Andrew Stevenson, consequent upon his conduct in these transactions, or any disavowal or censure of his conduct communicated to the British Government.

3. That the President of the United States be requested to inform this House whether any call has been made by him, or by his direction, upon Matthew C. Perry, a captain in the navy of the United States, to account for his violation of the laws of nations; of the laws of the foreign nation under the protection of which he was enjoying the benefits of a generous hospitality; of the laws of his own country; and of the rules and regulations for the Government of the navy of the United States, by his participation, with other citizens of the United States, in a conspiracy against the life of Daniel O'Connell, a member of the Parliament of the United Kingdom of Great Britain and Ireland.

On motion of Mr. Mercer,

Ordered, That the several standing committees be now appointed, according to the standing rules and orders of the House.

And, thereupon,

A Committee of *Elections* was appointed, consisting of Mr. Buchanan, Mr. Griffin, Mr. Hawkins, Mr. Maury of Tennessee, Mr. Towns, Mr. Bronson, Mr. Hastings, Mr. Rives, and Mr. Swearingen.

A Committee of *Ways and Means* was appointed, consisting of Mr. Cambreleng, Mr. Sergeant, Mr. Jones of Virginia, Mr. Atherton, Mr. Haynes, Mr. Rencher, Mr. Pope, Mr. Rhett, and Mr. Webster.

A Committee of *Claims* was appointed, consisting of Mr. Chambers, Mr. Darlington, Mr. Russell, Mr. Campbell of Tennessee, Mr. Stuart, Mr. Williams of New Hampshire, Mr. Gray, Mr. Saltonstall, and Mr. Giddings.

A Committee of *Commerce* was appointed, consisting of Mr. Cushman, Mr. De Graff, Mr. Toland, Mr. Curtis, Mr. Mason of Virginia, Mr. Worthington, Mr. Johnson of Louisiana, Mr. Montgomery, and Mr. Riley.

A Committee on the *Public Lands* was appointed, consisting of Mr. Casey, Mr. Williams of North Carolina, Mr. Lincoln, Mr. Chapman, Mr. Shields, Mr. Loomis, Mr. Murray of Kentucky, Mr. Duncan, and Mr. Word.

A Committee on the *Post Office and Post Roads* was appointed, consisting of Mr. Connor, Mr. Briggs, Mr. Hall, Mr. Hopkins, Mr. Hubley, Mr. Calhoun of Kentucky, Mr. Towns, Mr. Palmer, and Mr. Leadbetter.

A Committee for the *District of Columbia* was appointed, consisting of Mr. Bouldin, Mr. Jenifer, Mr. Dawson, Mr. Prentiss of New York, Mr. Hawkins, Mr. Beirne, Mr. Christopher H. Williams of Tennessee, Mr. Davee, and Mr. Lyon.

A Committee on the *Judiciary* was appointed, consisting of Mr. Thomas, Mr. Robertson of Virginia, Mr. Toucey, Mr. Corwin, Mr. Garland of Virginia, Mr. Samuel W. Morris of Pennsylvania, Mr. Turney, Mr. Martin, and Mr. Foster.

A Committee on *Revolutionary Claims* was appointed, consisting of Mr. Craig, Mr. Underwood, Mr. Taliaferro, Mr. Parmenter, Mr. Harper, Mr. Birdsall, Mr. Augustine H. Sheppard of North Carolina, Mr. Joseph L. Williams of Tennessee, and Mr. Keim.

A Committee on *Public Expenditures* was appointed, consisting of Mr. Haley, Mr. Alexander, Mr. Titus, Mr. Stratton, Mr. Rumsey, Mr. Fletcher of Vermont, Mr. Crockett, Mr. Sheffer, and Mr. Putnam.

A Committee on *Private Land Claims* was appointed, consisting of Mr. May, Mr. Calhoun of Massachusetts, Mr. Harlan, Mr. Beatty, Mr. Rariden, Mr. Cheatham, Mr. Garland of Louisiana, Mr. Fletcher of Massachusetts, and Mr. Crabb.

A Committee on *Manufactures* was appointed, consisting of Mr. John Quincy Adams, Mr. Slade, Mr. Biddle, Mr. Tillinghast, Mr. Vail, Mr. Naylor, Mr. Hunter of Virginia, Mr. Elmore, and Mr. Kennedy.

A Committee on *Agriculture* was appointed, consisting of Mr. Deberry, Mr. Logan, Mr. Phelps, Mr. Weeks, Mr. Spencer, Mr. Noyes, Mr. Davies of Pennsylvania, Mr. Randolph, and Mr. Stone.

A Committee on *Indian Affairs* was appointed, consisting of Mr. Bell, Mr. Everett, Mr. Chaney, Mr. Parker, Mr. Graham of North Carolina, Mr. Lewis, Mr. Petrikin, Mr. Banks, and Mr. Parris.

A Committee on *Military Affairs* was appointed, consisting of Mr. McKay, Mr. Coles, Mr. Grennell, Mr. Rives, Mr. Kemble, Mr. Mason of Ohio, Mr. McClellan of Tennessee, Mr. Halsted, and Mr. Glascock.

A Committee on the *Militia* was appointed, consisting of Mr. Wagener, Mr. Carter, Mr. Holt, Mr. Allen of Ohio, Mr. Griffin, Mr. Gallup, Mr. Dunn, Mr. Southgate, and Mr. Dennis.

A Committee on *Naval Affairs* was appointed, consisting of Mr. Ingham, Mr. Milligan, Mr. Reed, Mr. Wise, Mr. Grantland, Mr. Moore, Mr. Paynter, Mr. Anderson, and Mr. Pickens.

A Committee on *Foreign Affairs* was appointed, consisting of Mr. Howard, Mr. Cushing, Mr. Jackson of Georgia, Mr. Dromgoole, Mr. Fairfield, Mr. Legare, Mr. Hoffman, Mr. Bynum, and Mr. Crary.

A Committee on the *Territories* was appointed, consisting of Mr. Bronson, Mr. Potts, Mr. Pearce, Mr. Borden, Mr. Jones of New York, Mr.

Farrington, Mr. White of Kentucky, Mr. Hammond, and Mr. Charles Shepard of North Carolina.

A Committee on *Revolutionary Pensions* was appointed, consisting of Mr. Morgan, Mr. Klingensmith, Mr. Bond, Mr. Fry, Mr. Johnson of Virginia, Mr. Sibley, Mr. Ewing, Mr. Whittlesey, and Mr. Childs.

A Committee on *Invalid Pensions* was appointed, consisting of Mr. Taylor, Mr. Williams of Kentucky, Mr. Allen of Vermont, Mr. McClellan of New York, Mr. Herod, Mr. Stanly, Mr. Mallory, Mr. Plumer, and Mr. Mitchell.

A Committee on *Roads and Canals* was appointed, consisting of Mr. Mercer, Mr. Evans, Mr. McKennan, Mr. Snyder, Mr. Fillmore, Mr. Johnson of Maryland, Mr. White of Indiana, Mr. Graves, and Mr. Grant.

A Committee on *Patents* was appointed, consisting of Mr. Fletcher of Vermont, Mr. Phelps, Mr. Menefee, Mr. Beers, and Mr. Robinson of Maine.

A Committee on *Public Buildings and Grounds* was appointed, consisting of Mr. Lincoln, Mr. Pratt, Mr. Mercer, Mr. McClure, and Mr. Jackson of Georgia.

A Committee of *Revisal and Unfinished Business* was appointed, consisting of Mr. Sheplor, Mr. Noble, Mr. Southgate, Mr. Henry, and Mr. Peck.

A Committee of *Accounts* was appointed, consisting of Mr. Johnson of Virginia, Mr. Johnson of Maryland, Mr. Samuel W. Morris of Pennsylvania, Mr. Bicknell, and Mr. Hawes.

A Committee on *Mileage* was appointed, consisting of Mr. Dawson, Mr. Howard, Mr. Briggs, Mr. Coffin, and Mr. Bicknell.

And then the House adjourned, at half-past twelve o'clock, until Monday next the 10th instant, at twelve o'clock meridian.

MONDAY, DECEMBER 10, 1838.

Several other members appeared, and took their seats, viz :

From the State of Maine—Francis O. J. Smith.

From the State of South Carolina—Waddy Thompson, jr. and John Campbell.

From the State of Missouri—Albert G. Harrison.

From the State of Arkansas—Archibald Yell.

From the State of Ohio—Thomas L. Hamer.

From the State of Pennsylvania—Charles Ogle.

Three messages, in writing, were received from the President of the United States by his private secretary, and were read, and are as follows, viz :

FIRST MESSAGE.

To the House of Representatives of the United States :

I herewith transmit to the House of Representatives reports from the Secretary of State and the Secretary of the Treasury, with accompanying documents, in answer to the resolution of the House of the 9th of July last.*

M. VAN BUREN.

WASHINGTON, December 7, 1838.

* The resolution referred to in this message requests the President to cause to be laid before the House all communications, papers, documents, &c., which shall elucidate the origin and object of the Smithsonian bequest, and the origin, progress, and consummation of the process by which that bequest has been recovered, and whatever may be connected with the subject.

Ordered, That said message be referred to a select committee.

Mr. John Q. Adams, Mr. Smith, Mr. Ogle, Mr. Charles Shepard of North Carolina, Mr. Holt, Mr. Thompson, Mr. Hunter of Ohio, Mr. Kennedy, and Mr. Garland of Virginia, were appointed said select committee.

SECOND MESSAGE.

To the House of Representatives of the United States :

The act of the 1st July, 1836, to enable the Executive to assert and prosecute, with effect, the claim of the United States to the legacy bequeathed to them by James Smithson, late of London, having received its entire execution; and the amount recovered and paid into the Treasury having, agreeably to an act of the last session, been invested in State stocks, I deem it proper to invite the attention of Congress to the obligation now devolving upon the United States to fulfil the object of the bequest. In order to obtain such information as might serve to facilitate its attainment, the Secretary of State was directed, in July last, to apply to persons versed in science, and familiar with the subject of public education, for their views as to the mode of disposing of the fund best calculated to meet the intentions of the testator, and prove most beneficial to mankind. Copies of the circular letter, written in compliance with these directions, and of the answers to it received at the Department of State, are herewith communicated for the consideration of Congress.

M. VAN BUREN.

WASHINGTON, *December 6, 1838.*

Ordered, That said message be referred to the select committee last appointed.

THIRD MESSAGE.

To the Senate and House of Representatives of the United States :

I herewith transmit a special report made to me by the Secretary of the Treasury, for your consideration, in relation to the recently-discovered default of Samuel Swartwout, late collector of the customs at the port of New York.

I would respectfully invite the early attention of Congress to the adoption of the legal provisions therein suggested, or such other measures as may appear more expedient for increasing the public security against similar defalcations hereafter.

M. VAN BUREN.

WASHINGTON, *December 8, 1838.*

The said message was read; when

A motion was made by Mr. Cambreleng, that so much thereof as relates to the default of Samuel Swartwout be referred to a select committee; and that so much as relates to the adoption of further measures for increasing the public security against similar defalcations, be referred to the Committee of Ways and Means.

On motion of Mr. Mercer, the further consideration of the subject was postponed until to-morrow.

The Speaker laid before the House sundry communications, viz :

I. A letter from the Solicitor of the Treasury, submitting a report and documents relative to the petition of John Norris; which report was referred to the Committee on the Judiciary.

II. A letter from the Secretary of the Navy, transmitting an abstract of the expenditure of the contingent fund of the naval establishment, for the year ending September 30, 1838; which letter was read, and laid on the table.

III. A letter from the Secretary of War, transmitting statements of the expenditure of the contingent funds of the War Department, and offices and bureaus attached thereto, for the year ending September 30, 1838; which letter and statements were laid on the table.

IV. A letter from the First Comptroller of the Treasury, transmitting a statement of the accounts which have remained unsettled, or on which balances appear to have been due more than three years prior to the 30th September, 1836, on the books of the Second Auditor; which letter and statement were laid on the table.

V. A letter from the Postmaster General, transmitting a statement of the expenditures made from the contingent fund of the Post Office Department; which letter was read, and laid on the table.

VI. A report from the Secretary of State, in answer to the call of the House of the 9th of July last, for information upon the subject of the labor and expense of answering the various calls of this House at the last session of Congress upon the Department of State; which report was read, and laid on the table.

VII. A letter from the Secretary of State, transmitting the annual abstract of the returns made to his Department, by collectors of customs, of the registered seamen of the United States; which letter was ordered to lie on the table.

VIII. A letter from the Secretary of the Treasury, transmitting a statement of the expenditures for contingencies of the Treasury Department and the several offices attached thereto, for the year ending September 30, 1838.

IX. A report of the Commissioner of the Public Buildings, of the expenditures on said buildings, from January 1 to December 1, 1838; which report was referred to the Committee on Public Buildings and Grounds.

On motion of Mr. Cambreleng,

Resolved, That the annual report of the Secretary of the Treasury on the Finances be referred to the Committee of Ways and Means, except so much as relates to the defalcation of the late collector of the port of New York.

The House proceeded to the consideration of the right to a seat in this House as the Delegate from the Territory of Wisconsin; when it was, on motion of Mr. Mercer,

Ordered, That it be referred to the Committee of Elections.

The House proceeded to the consideration of the motion made by Mr Dromgoole, on the 6th instant, to amend the standing rules of the House viz: insert between the 10th and 11th rules the following:

"In all cases of election by the House, the vote shall be taken *viva voce*."

A motion was made by Mr. Briggs to amend the said motion, by striking out "*viva voce*," and inserting "by ballot."

A motion was made by Mr. Tillinghast to amend the amendment of Mr. Briggs, by adding after the word "*ballot*," "each ballot having written thereon the name of the member giving the same."

And, after debate,

A motion was made by Mr. Stanly that the said motion to amend the rules do lie on the table;

And the question being put,

It passed in the negative, { Yeas, 81,
Nays, 126.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
J. Banker Ayrcrigg
John Bell
William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
John Calhoun
William B. Campbell
John Campbell
William B. Carter
John Chambers
Timothy Childs
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Davies
John Dennis
George Evans
Horace Everett
Richard Fletcher
Millard Fillmore

Mr. Rice Garland
Joshua R. Giddings
Patrick G. Goode
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
James Harlan
William S. Hastings
Thomas Henry
William Herod
Henry Johnson
William Cost Johnson
John P. Kennedy
Levi Lincoln
Richard P. Marvin
Samson Mason
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle

Mr. James A. Pearce
Luther C. Peck
Francis W. Pickens
John Pope
David Potts, jr.
Harvey Putnam
Joseph F. Randolph
John Reed
Joseph Ridgway
Edward Robinson
David Russell
Leverett Saltonstall
John Sergeant
Charles Shepard
Ebenezer J. Shields
Mark H. Sibley
William Slade
Francis O. J. Smith
Edward Stanly
William Stone
George W. Toland
John White
Thomas T. Whittlesey
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Andrew Biene
Bennet Bicknell
Samuel Birdsell
James W. Bouldin
John C. Brodhead
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
Zadok Casey
John Chaney
Reuben Chapman
Richard Cheatham
John C. Clark
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig

Mr. Isaac E. Crary
Samuel Cushman
William C. Dawson
Thomas Davee
Edmund Deberry
John I. De Graff
George C. Dromgoole
Alexander Duncan
George H. Dunn
Franklin H. Elmore
John Ewing
James Farrington
John Fairfield
Isaac Fletcher
Henry A. Foster
Jacob Fry, jr.
Albert Gallup
James Garland
Thomas Glascock
James Graham
Seaton Grantland
Abraham P. Grant

Mr. Hiram Gray
John K. Griffin
Robert H. Hammond
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Daniel Jenifer
Joseph Johnson
Nathaniel Jones
John W. Jones
Gouverneur Kemble
John Klingensmith, jr.
Hugh S. Legare

Mr. Daniel P. Leadbetter
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 James M. Mason
 Abram P. Maury
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 William Montgomery
 Ely Moore
 William S. Morgan
 Mathias Morris
 Samuel W. Morris
 John L. Murray
 William H. Noble
 John Palmer

Mr. Amasa J. Parker
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 David Petrikin
 Lancelot Phelps
 Arnold Plumer
 Zadock Pratt
 James Rariden
 Luther Reily
 Abraham Rencher
 Francis E. Rives
 John Robertson
 Edward Rumsey
 Samuel T. Sawyer
 Daniel Sheffer
 Augustine H. Shepperd
 Matthias Sheplor
 Adam W. Snyder
 William W. Southgate

Mr. James B. Spencer
 Archibald Stuart
 Charles C. Stratton
 Henry Swearingen
 John Taliaferro
 Francis Thomas
 Joseph L. Tillinghast
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Joseph R. Underwood
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 Albert S. White
 Jared W. Williams
 Joseph L. Williams
 Archibald Yell.

The question recurred on the amendment moved by Mr. Tillinghast; when

The previous question was moved by Mr. Montgomery; and, being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Will the House agree to the amendment to the rules, as moved by Mr. Dromgoole?—[the amendments of Mr. Briggs and Mr. Tillinghast being set aside by the previous question;]

And passed in the affirmative, { Yeas, 124,
 Nays, 54.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 Linn Banks
 William Beatty
 Andrew Beirne
 Bennet Bicknell
 Samuel Birdsall
 James W. Bouldin
 John C. Brodhead
 Andrew Buchanan
 Jesse A. Bynum
 C. C. Cambreleng
 William B. Campbell
 Zadok Casey
 John Chaney
 John C. Clark
 Walter Coles
 Henry W. Connor
 George W. Crabb
 Robert Craig
 Isaac E. Crary
 Samuel Cushman
 William C. Dawson
 Thomas Davee
 Edmund Deberry

Mr. John I. De Graff
 George C. Dromgoole
 Alexander Duncan
 George H. Dunn
 Franklin H. Elmore
 John Ewing
 John Fairfield
 Henry A. Foster
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 Thomas Glascock
 James Graham
 Seaton Grantland
 Abraham P. Grant
 Hiram Gray
 John K. Griffin
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Richard Hawes
 Micajah T. Hawkins
 Charles E. Haynes
 Orrin Holt
 George W. Hopkins
 Benjamin C. Howard

Mr. Edward B. Hubley
 William H. Hunter
 Robert M. T. Hunter
 Thomas B. Jackson
 Jabez Jackson
 Daniel Jenifer
 Joseph Johnson
 Nathaniel Jones
 John W. Jones
 Gouverneur Kemble
 John Klingensmith, jr.
 Hugh S. Legare
 Daniel P. Leadbetter
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 James M. Mason
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 Richard H. Menefee
 William Montgomery
 Ely Moore

Mr. William S. Morgan
 Mathias Morris
 Samuel W. Morris
 John L. Murray
 William H. Noble
 John Palmer
 Amasa J. Parker
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 David Petrikin
 Lancelot Phelps
 Arnold Plumer
 Zadock Pratt
 James Rariden
 Luther Reily

Mr. Abraham Rencher
 Francis E. Rives
 John Robertson
 Samuel T. Sawyer
 Daniel Sheffer
 Augustine H. Shepperd
 Matthias Sheplor
 Adam W. Snyder
 William W. Southgate
 James B. Spencer
 Archibald Stuart
 Henry Swearingen
 John Taliaferro
 Francis Thomas
 Joseph L. Tillinghast

Mr. Obadiah Titus
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Joseph R. Underwood
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 Albert S. White
 Thomas T. Whittlesey
 Sherrod Williams
 Jacob W. Williams
 Joseph L. Williams
 Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 J. Banker Aycrigg
 John Bell
 Richard Biddle
 William Key Bond
 Nathaniel B. Bowden
 George N. Briggs
 William B. Calhoun
 John Calhoun
 William B. Carter
 John Chambers
 Richard Cheatham
 Timothy Childs
 Charles D. Coffin
 Thomas Corwin
 Robert B. Cranston
 John W. Crockett
 Edward Curtis
 Caleb Cushing
 Edward Davies
 John Dennis
 George Evans
 Horace Everett
 Richard Fletcher
 Isaac Fletcher

Mr. Millard Fillmore
 Joshua R. Giddings
 Patrick G. Goode
 William Graham
 William J. Graves
 George Grennell, jr.
 Hiland Hall
 James Harlan
 William S. Hastings
 Thomas Henry
 William Herod
 Henry Johnson
 William Cost Johnson
 John P. Kennedy
 Levi Lincoln
 Richard P. Marvin
 Samson Mason
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 Thos. M. T. McKennan
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle

Mr. James A. Pearce
 Luther C. Peck
 Francis W. Pickens
 John Pope
 David Potts, jr.
 Harvey Putnam
 Joseph F. Randolph
 John Reed
 Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Saltonstall
 John Sergeant
 Charles Shepard
 Ebenezer J. Shields
 Mark H. Sibley
 William Slade
 Francis O. J. Smith
 Edward Stanly
 William Stone
 Charles C. Stratton
 Waddy Thompson, jr.
 George W. Toland
 John White
 Christopher H. Williams
 Henry A. Wise
 Thomas I. Word
 Thomas Jones Yorke.

And so it was

Resolved, That the following be added to the standing rules of the House, to be inserted between the 10th and 11th rules:

"In all cases of election by the House, the vote shall be taken *viva voce*."

On motion of Mr. Sherrod Williams,

The said rule, as adopted by the House, was further amended, by inserting therein, after the word "*House*," the words "of its officers;" so that the said rule was finally agreed to in the words following:

"In all cases of election by the House of its officers, the vote shall be taken *viva voce*."

A message from the Senate, by Mr. Dickinson, their Secretary:

Mr. Speaker: The Senate have passed a bill (No. 15) entitled "An act for the relief of Thomas Sumpter;" in which bill I am directed to ask the concurrence of this House.

The Senate have agreed to the resolution from this House for the elec-

tion of chaplains to Congress; and have elected the Reverend Henry Slicer chaplain on their part. And then he withdrew.

On motion of Mr. Curtis,

Ordered, That the drawing accompanying the report from the Engineer department, on the light-house on Flynn's knoll, in the harbor of New York, be printed.

The rules in relation to the order of business being suspended by a vote of two-thirds, for the purpose of receiving the same,

Mr. James Garland moved the following resolution:

Resolved, That the American Colonization Society have permission to hold its annual meeting in the Hall of the House of Representatives to-morrow evening.

And, on the question that the House do agree thereto,

It passed in the affirmative.

On motion of Mr. Fillmore,

Ordered, That the drawings illustrative of the condition of certain improvements in navigation on lake Erie, which accompany the annual report from the Topographical bureau, and forming a part of the documents with the President's message, be printed.

On motion of Mr. William Cost Johnson,

Resolved, That the use of this Hall be given to Professor J. Orville Taylor, of the University of New York, as requested by the American Common School Society, to deliver an address, on Thursday evening, at 7 o'clock, on the condition of the common schools in this country, and in furtherance of the cause of general education throughout the United States.

Mr. Thomas asked to be excused from further service on the select committee, appointed on the 18th of June last, on the memorial of Francis P. Blair, with instructions to inquire into the manner in which the printing for Congress and the Executive Departments has been executed, and which committee, by order of the House of the 7th of July, 1838, had leave to prosecute said inquiry at the present session of Congress; and his request being granted, Mr. Harrison was appointed of said committee in his stead.

The rules in relation to the order of business being suspended for the purpose of receiving the same,

Mr. Morgan moved the following resolution:

Resolved, That this House will, on to-morrow, at 1 o'clock, proceed to the election of a chaplain, to serve during the present session of Congress.

A motion was made by Mr. Bronson to amend this resolution, by striking out the words "will to-morrow, at 1 o'clock," and inserting "do now." This amendment was disagreed to, and the resolution as moved by Mr. Morgan, was agreed to.

On motion of Mr. Word,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of passing a law to confer circuit-court jurisdiction on the district court of the United States for the northern district of the State of Mississippi.

And then, at three o'clock, the House adjourned until to-morrow at twelve o'clock, meridian.

TUESDAY, DECEMBER 11, 1838.

Mr. Evans presented the petition of Thomas Fillebrown, jr., heretofore presented December 12, 1836 ; which petition was referred to the Committee of Claims.

Mr. Evans presented the petition of Nathan Daggett, presented heretofore January 29, 1838 ; which petition was referred to the Committee on Revolutionary Claims.

Mr. Noyes presented a petition of Martha Green, of Hancock county, in the State of Maine, widow of Asa Green, deceased, praying for arrears of pension due on account of her husband's services ; which petition was referred to the Committee on Revolutionary Pensions.

Mr. Noyes presented a petition of David Boomer, of Charlotte, in the State of Maine, praying the payment of arrears of his privateer pension, which was due on the first of January last, and remains unpaid in consequence of the privateer pension fund being exhausted ; which petition was referred to the Committee on Naval Affairs.

A message from the Senate, by Mr. Dickins, their Secretary, viz :

Mr. Speaker : The Senate have passed bills of the following titles, viz :

No. 13. An act for the relief of Elisha Town ;

No. 14. An act for the relief of Erastus Fairbanks and Thaddeus Fairbanks ; in which I am directed to ask the concurrence of this House. And then he withdrew.

A motion was made by Mr. Atherton that the rules in relation to the order of business be suspended, to enable him to move the following resolutions, viz :

1. *Resolved*, That this Government is a Government of limited powers ; and that, by the constitution of the United States, Congress has no jurisdiction whatever over the institution of slavery in the several States of the confederacy.

2. *Resolved*, That petitions for the abolition of slavery in the District of Columbia and the Territories of the United States, and against the removal of slaves from one State to another, are a part of the plan of operations set on foot to affect the institution of slavery in the several States, and thus indirectly to destroy that institution within their limits.

3. *Resolved*, That Congress has no right to do that indirectly which it cannot do directly ; and that the agitation of the subject of slavery in the District of Columbia or the Territories, as a means and with a view of disturbing or overthrowing that institution in the several States, is against the true spirit and meaning of the constitution, an infringement of the right of the States affected, and a breach of the public faith on which they entered into this confederacy.

4. *Resolved*, That the constitution rests on the broad principle of equality among the members of this confederacy ; and that Congress, in the exercise of its acknowledged powers, has no right to discriminate between the institutions of one portion of the States and another, with a view of abolishing the one and promoting the other.

5. *Resolved, therefore*, That all attempts, on the part of Congress, to abolish slavery in the District of Columbia or the Territories, or to prohibit the removal of slaves from State to State, or to discriminate between the institutions of one portion of the country and another, with the views aforesaid, are in violation of the constitution, destructive of the funda-

mental principles on which the Union of these States rests, and beyond the jurisdiction of Congress; and that every petition, memorial, resolution, proposition, or paper, touching or relating in any way or to any extent whatever to slavery, as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid on the table without being debated, printed, or referred.

And on the question, Shall the rules be suspended for the purpose aforesaid?

It passed in the affirmative, (two-thirds voting therefor,) { Yeas, 137,
Nays, 66.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Samuel Birdsall
John C. Brodhead
Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
John Chambers
Reuben Chapman
Richard Cheatham
William K. Clowney
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Isaac E. Crary
John W. Crockett
Samuel Cushman
William C. Dawson
Edmund Deberry
John I. De Graff
George C. Dromgoole
Franklin H. Elmore
James Farrington
John Fairfield
Henry A. Foster
Jacob Fry, jr.
Albert Gallup
James Garland
Rice Garland
Thomas Glascock
James Graham
Seaton Grantland
Abraham P. Grant
Hiram Gray

Mr. John K. Griffin
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John Kingensmith, jr.
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
Joshua L. Martin
William L. May
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Richard H. Menefee
Charles F. Mercer
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
Lemuel Paynter

Mr. James A. Pearce
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
John Pope
Zadock Pratt
Luther Reily
Abraham Rencher
R. Barnwell Rhett
Francis E. Rives
John Robertson
Edward Rumsey
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder
William W. Southgate
James B. Spencer
Edward Stanly
Archibald Stuart
William Stone
Henry Swearingen
John Taliaferro
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Joseph R. Underwood
Henry Vail
David D. Wagener
Taylor Webster
Joseph Weeks
John White
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.

Mr. Heman Allen
John W. Allen

Mr. J. Banker Ayerigg
James W. Bouldin

Mr. George N. Briggs
 William B. Calhoun
 Zadok Casey
 Timothy Childs
 John C. Clark
 Charles D. Coffin
 Thomas Corwin
 Robert B. Cranston
 Edward Curtis
 Caleb Cushing
 Edward Darlington
 Thomas Davis
 Edward Davies
 George H. Dunn
 John Edwards
 George Evans
 Horace Everett
 John Ewing
 Richard Fletcher
 Isaac Fletcher

Mr. Millard Fillmore
 Joshua R. Giddings
 Patrick G. Goode
 William Graham
 George Grennell, jr.
 Elisha Haley
 Hiland Hall
 Alexander Harper
 William S. Hastings
 William Herod
 Samuel Ingham
 Levi Lincoln
 Richard P. Marvin
 Samson Mason
 John P. B. Maxwell
 Thomas M. T. McKennan
 Charles F. Mitchell
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes

Mr. William Parmenter
 Luther C. Peck
 David Potts, jr.
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Saltonstall
 John Sergeant
 Mark H. Sibley
 William Slade
 Francis O. J. Smith
 Charles C. Stratton
 Joseph L. Tillingham
 George W. Toland
 Albert S. White
 Thomas Jones Yorke.

The rule being suspended for the purpose,

Mr. Atherton then moved his said resolutions; which were read.

The previous question was moved by Mr. Atherton; when,

On motion of Mr. Stanly, a call of the House was ordered; and the roll being called, all the members who have attended at the present session answered to their names, except William Halsted, Ogden Hoffman, Mathias Morris, Charles Ogle, John H. Prentiss, Waddy Thompson, jr., Joseph Weeks, Lewis Williams, John T. H. Worthington.

The doors were then closed; when

A motion was made by Mr. Titus that further proceedings in the call be dispensed with;

And the question being put,

It passed, in the affirmative, { Yeas, 115,
 { Nays, 97.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 Linn Banks
 William Beatty
 Cyrus Beers
 Andrew Beirne
 Bennet Bicknell
 Samuel Birdsell
 John C. Brodhead
 Isaac H. Bronson
 Andrew Buchanan
 Jesse A. Bynum
 William B. Calhoun
 C. C. Cambreleng
 John Campbell
 Zadok Casey
 John Chaney
 Reuben Chapman
 Richard Cheatham
 William K. Clowney
 Walter Coles
 Henry W. Connor
 Robert Craig
 Isaac E. Cray

Mr. Samuel Cushman
 John I. De Graff
 George C. Dromgoole
 Alexander Duncan
 Franklin H. Elmore
 Horace Everett
 James Farrington
 John Fairfield
 Isaac Fletcher
 Millard Fillmore
 Henry A. Foster
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 Thomas Glascock
 James Graham
 Seaton Grantland
 Abraham P. Grant
 Hiram Gray
 John K. Griffin
 Elisha Haley
 Thomas L. Hamer
 Albert G. Harrison
 Micajah T. Hawkins
 Charles E. Haynes

Mr. William Herod
 Orrin Holt
 George W. Hopkins
 Benjamin C. Howard
 Edward B. Hubley
 William H. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Daniel Jenifer
 Joseph Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Hugh S. Legare
 Daniel P. Leadbetter
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan

Mr. Charles McClure
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
David Petrikin
Lancelot Phelps
Francis W. Pickens

Mr. Zadock Pratt
Luther Reily
Abraham Rencher
R. Barnwell Rhett
Francis E. Rives
Augustine H. Shepperd
Charles Shepard
Matthias Sheplor
Francis O. J. Smith
Adam W. Snyder
James B. Spencer
Archibald Stuart
Henry Swearingen

Mr. John Taliaferro
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Thomas T. Whittlesey
Jared W. Williams
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Neman Allen
J. Banker Aycrigg
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
John Calhoon
William B. Campbell
William B. Carter
John Chambers
Timothy Childs
John C. Clark
Charles D. Coffin
Thomas Corwin
George W. Crabb
Robert B. Cranston
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
Edward Davies
Edmund Deberry
John Dennis
George H. Dunn
John Edwards
George Evans
John Ewing
Richard Fletcher
Rice Garland

Mr. Joshua R. Giddings
Patrick G. Goode
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Robert M. T. Hunter
Jabez Jackson
Henry Johnson
William Cost Johnson
John P. Kennedy
Dixon H. Lewis
Levi Lincoln
Francis Mallory
Richard P. Marvin
Samson Mason
Abram P. Maury
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noyes
William Parmenter
James A. Pearce

Mr. Luther C. Peck
John Pope
David Potts, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
Leverett Saltonstall
Samuel T. Sawyer
John Sergeant
Ebenezer J. Shields
Mark H. Sibley
William Slade
William W. Southgate
Edward Stanly
William Stone
Charles C. Stratton
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

The doors were then opened, and the House divided on the motion for the previous question; when it was demanded by a majority of the members present.

The said previous question was then stated, to wit: Shall the main question be now put? and pending the same,

A motion was made by Mr. Bell (at forty minutes after one o'clock,) that the House do adjourn;

And the question being put,

It was decided in the negative, { Yeas, 101,
Nays, 113.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 John Bell
 Richard Biddle
 William Key Bond
 Nathaniel B. Borden
 George N. Briggs
 Andrew Buchanan
 William B. Calhoun
 John Calhoon
 William B. Campbell
 William B. Carter
 John Chambers
 Richard Cheatham
 Timothy Childs
 John C. Clark
 Charles D. Coffin
 Thomas Corwin
 George W. Crabb
 Robert B. Cranston
 John W. Crockett
 Edward Curtis
 Caleb Cushing
 Edward Darlington
 William C. Dawson
 Edward Davies
 John Dennis
 George H. Dunn
 George Evans
 Horace Everett
 John Ewing
 Richard Fletcher

Mr. Isaac Fletcher
 Millard Fillmore
 Rice Garland
 Joshua R. Giddings
 Patrick G. Goode
 William Graham
 William J. Graves
 George Grennell, jr.
 Hiland Hall
 James Harlan
 Alexander Harper
 William S. Hastings
 Richard Hawes
 William Herod
 Jabez Jackson
 Henry Johnson
 John P. Kennedy
 Levi Lincoln
 Richard P. Marvin
 Samson Mason
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 William Parmenter
 James A. Pearce
 Luther C. Peck

Mr. John Pope
 David Potts, jr.
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 Edward Robinson
 Edward Rumsey
 David Russell
 Leverett Saltonstall
 John Sergeant
 Ebenezer J. Shields
 Mark H. Sibley
 William Slade
 Francis O. J. Smith
 William W. Southgate
 Edward Stanly
 William Stone
 Charles C. Stratton
 John Taliaferro
 Waddy Thompson, jr.
 Joseph L. Tillinghast
 George W. Toland
 Joseph R. Underwood
 Albert S. White
 John White
 Joseph L. Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 J. Banker Ayer
 Linn Banks
 William Beatty
 Cyrus Beers
 Andrew Beirne
 Bennet Bicknell
 Samuel Birsall
 James W. Bouldin
 John C. Brodhead
 Isaac H. Bronson
 Jesse A. Bynum
 C. C. Cambreleng
 John Campbell
 Zadok Casey
 John Chaney
 Reuben Chapman
 William K. Clowney
 Walter Coles
 Henry W. Connor
 Robert Craig
 Isaac E. Crary
 Samuel Cushman
 Edmund Deberry
 George C. Dromgoole
 Alexander Duncan

Mr. Franklin H. Elmore
 James Farrington
 John Fairfield
 Henry A. Foster
 Jacob Fry, jr.
 Albert Gallup
 Thomas Glascock
 James Graham
 Seaton Grantland
 Hiram Gray
 John K. Griffin
 Elisha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Micajah T. Hawkins
 Charles E. Haynes
 Orrin Holt
 George W. Hopkins
 Benjamin C. Howard
 Edward B. Hubley
 William H. Hunter
 Robert M. T. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Daniel Jenifer
 Joseph Johnson
 William Cost Johnson

Mr. Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Hugh S. Legare
 Daniel P. Leadbetter
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 John L. Murray
 William H. Noble
 John Palmer
 Amasa J. Parker
 Virgil D. Parriss
 David Petrik

Mr. Lancelot Phelps
Francis W. Pickens
Zadock Pratt
R. Barnwell Rhett
Francis E. Rives
John Robertson
Samuel T. Sawyer
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard

Mr. Matthias Sheplor
Adam W. Snyder
James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns

Mr. Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Archibald Yell.

The previous question was then put, viz: Shall the main question be now put?

And passed in the affirmative, { Yeas, 114,
 { Nays, 107.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
William B. Campbell
John Campbell
Zadok Casey
John Chaney
Reuben Chapman
William K. Clowney
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Isaac E. Crary
Samuel Cushman
William C. Dawson
Thomas Davee
Edmund Deberry
John I. De Graff
George C. Dromgoole
Alexander Duncan
Franklin H. Elmore
James Farrington
John Fairfield
Henry A. Foster
Jacob Fry, jr.
Albert Gallup

Mr. James Garland
Thomas Glascock
Seaton Grantland
Abraham P. Grant
Hiram Gray
John K. Griffin
Robert H. Hammond
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Joseph Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure

Mr. Charles F. Mercer
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
Zadock Pratt
Luther Reily
R. Barnwell Rhett
Francis E. Rives
Charles Shepard
Matthias Sheplor
Adam W. Snyder
James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
David D. Wagener
Taylor Webster
Joseph Weeks
Thomas T. Whittlesey
Jared W. Williams
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Ayrcrigg
John Bell
Richard Biddle
William Key Bond

Mr. Nathaniel B. Borden
James W. Bouldin
George N. Briggs
William B. Calhoun
John Calhoun
William B. Carter
John Chambers
Richard Cheatham

Mr. Timothy Childs
John C. Clark
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing

Mr. Edward Darlington
 Edward Davies
 John Dennis
 George H. Dunn
 John Edwards
 George Evans
 Horace Everett
 John Ewing
 Richard Fletcher
 Isaac Fletcher
 Millard Fillmore
 Rice Garland
 Joshua R. Giddings
 Patrick G. Goode
 James Graham
 William Graham
 William J. Graves
 George Grennell, jr.
 Elisha Haley
 Hiland Hall
 James Harlan
 Alexander Harper
 William S. Hastings
 Richard Hawes
 William Herod
 Samuel Ingham
 Daniel Jenifer
 Henry Johnson

Mr. William Cost Johnson
 John P. Kennedy
 Levi Lincoln
 Richard P. Marvin
 Samson Mason
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 Thomas M. T. McKennan
 Richard H. Menefee
 John J. Milligan
 Charles F. Mitchell
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 William Parmenter
 James A. Pearce
 Luther C. Peck
 John Pope
 David Potts, jr.
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 John Robertson
 Edward Robinson

Mr. Edward Rumsey
 David Russell
 Leverett Seltontall
 John Sergeant
 Augustine H. Shepperd
 Ebenezer J. Shields
 Mark H. Sibley
 William Slade
 Francis O. J. Smith
 William W. Southgate
 Edward Stanly
 William Stone
 Charles C. Stratton
 John Taliaferro
 Waddy Thompson, jr.
 Joseph L. Tillinghast
 George W. Toland
 Joseph R. Underwood
 Abraham Vanderveer
 Albert S. White
 John White
 Sherrod Williams
 Joseph L. Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 Thomas Jones Yorke.

The said main question was then stated, viz : That the House do agree to the resolutions ; when

Mr. Cushing called for a division thereof, so that the question be taken on each resolution separately.

Mr. Christopher H. Williams asked to be excused from voting on the resolutions.

A motion was then, at a quarter past two o'clock, made by Mr. William Cost Johnson, that the House do adjourn ;

And the question being put,

It passed in the negative, { Yeas, 108,
 { Nays, 113.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 J. Banker Ayer
 John Bell
 Richard Biddle
 William Key Bond
 Nathaniel B. Borden
 George N. Briggs
 Andrew Buchanan
 William B. Calhoun
 John Calhoun
 William B. Campbell
 William B. Carter
 John Chambers
 Richard Cheatham
 Timothy Childs
 John C. Clark
 Charles D. Coffin
 Thomas Corwin

Mr. George W. Crabb
 Robert B. Cranston
 John W. Crockett
 Edward Curtis
 Caleb Cushing
 Edward Darlington
 William C. Dawson
 Edward Davies
 Edmund Deberry
 John Dennis
 George H. Dunn
 George Evans
 Horace Everett
 John Ewing
 Richard Fletcher
 Isaac Fletcher
 Millard Fillmore
 Jacob Fry, jr.
 James Garland
 Rice Garland
 Joshua R. Giddings

Mr. Patrick G. Goode
 William J. Graves
 George Grennell, jr.
 Elisha Haley
 Hiland Hall
 James Harlan
 Alexander Harper
 William S. Hastings
 Richard Hawes
 William Herod
 Jabez Jackson
 Daniel Jenifer
 Henry Johnson
 William Cost Johnson
 John P. Kennedy
 Levi Lincoln
 Richard P. Marvin
 Samson Mason
 Abram P. Maury
 William L. May
 John P. B. Maxwell

Mr. Thomas M. T. McKennan	Mr. Joseph F. Randolph	Mr. William Stone
Richard H. Menefee	John Reed	Charles C. Stratton
Charles F. Mercer	Abraham Rencher	John Taliaferro
John J. Milligan	Joseph Ridgway	Waddy Thompson, jr.
Charles F. Mitchell	Edward Robinson	Joseph L. Tillinghast
Calvary Morris	Edward Rumsey	George W. Toland
Charles Naylor	David Russell	Joseph R. Underwood
Joseph C. Noyes	Leverett Saltonstall	Albert S. White
William Parmenter	John Sergeant	John White
James A. Pearce	Ebenezer J. Shields	Thomas T. Whittlesey
Luther C. Peck	Mark H. Sibley	Joseph L. Williams
John Pope	William Slade	Christopher H. Williams
David Potts, jr.	Francis O. J. Smith	Henry A. Wise
Harvey Putnam	William W. Southgate	Thomas J. Word
James Rariden	Edward Stanly	Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson	Mr. Hiram Gray	Mr. William H. Noble
John T. Andrews	John K. Griffin	John Palmer
Charles G. Atherton	Robert H. Hammond	Amasa J. Parker
Linn Banks	Thomas L. Hamer	Virgil D. Parris
William Beatty	Albert G. Harrison	Lemuel Paynter
Cyrus Beers	Micajah T. Hawkins	David Petrikin
Andrew Beirne	Charles E. Haynes	Lancelot Phelps
Bennet Bicknell	Orrin Holt	Francis W. Pickens
Samuel Birdsall	George W. Hopkins	Arnold Plumer
James W. Bouldin	Benjamin C. Howard	Zadock Pratt
John C. Brodhead	Edward B. Hubley	Luther Reily
Isaac H. Bronson	William H. Hunter	R. Barnwell Rhett
Jesse A. Bynum	Robert M. T. Hunter	Francis E. Rives
C. C. Cambreleng	Samuel Ingham	John Robertson
John Campbell	Thomas B. Jackson	Samuel T. Sawyer
Zadok Casey	Joseph Johnson	Daniel Sheffer
John Chaney	Nathaniel Jones	Augustine H. Shepperd
Reuben Chapman	John W. Jones	Charles Shepard
William K. Clowney	George M. Keim	Matthias Sheplor
Walter Coles	Gouverneur Kemble	Adam W. Snyder
Henry W. Connor	John Klingensmith, jr.	James B. Spencer
Robert Craig	Hugh S. Legare	Archibald Stuart
Isaac E. Cray	Daniel P. Leadbetter	Henry Swearingen
Samuel Cushman	Dixon H. Lewis	William Taylor
John I. De Graff	Henry Logan	Francis Thomas
George C. Dromgoole	Arphaxed Loomis	Obadiah Titus
Alexander Duncan	Francis S. Lyon	Isaac Toucey
John Edwards	Francis Mallory	George W. Towns
Franklin H. Elmore	James M. Mason	Hopkins L. Turney
James Farrington	Joshua L. Martin	Henry Vail
John Fairfield	James J. McKay	Abraham Vanderveer
Henry A. Foster	Robert McClellan	David D. Wagener
Albert Gallup	Abraham McClellan	Taylor Webster
Thomas Glasecock	William Montgomery	Joseph Weeks
James Graham	Ely Moore	Sherrod Williams
William Graham	William S. Morgan	Jared W. Williams
Seaton Grantland	Samuel W. Morris	Archibald Yell.
Abram P. Grant	John L. Murray	

The question was then put, Shall Mr. C. H. Williams be excused from voting?

And passed in the negative.

Mr. Underwood asked to be excused from voting on the resolutions; which request was refused by the House.

The question was then put, That the House do agree to the *first* of the said resolutions, being in the words following, viz :

1. *Resolved*, That this Government is a Government of limited powers;

and that, by the constitution of the United States, Congress has no jurisdiction whatever over the institution of slavery in the several States of the confederacy.—

And passed in the affirmative, { Yeas, 198,
Nays, 6.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. James Alexander, jr.
Heman Allen
John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Aycrigg
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsall
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chambers
John Chaney
Reuben Chapman
Richard Cheatham
Timothy Childs
John C. Clark
William K. Clowney
Charles D. Coffin
Walter Coles
Henry W. Connor
Thomas Corwin
George W. Crabb
Robert Craig
Isaac E. Crary
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Samuel Cushman
William C. Dawson
Thomas Davee
Edward Davies
Edmund Deberry
John I. De Graff
John Dennis
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards

Mr. Franklin H. Elmore
James Farrington
John Fairfield
Isaac Fletcher
Millard Fillmore
Henry A. Foster
Jacob Fry, jr.
James Garland
Rice Garland
Joshua R. Giddings
Thomas Glascock
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray
George Grennell, jr.
John K. Griffin
Elisha Haley
Hiland Hall
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
Alexander Harper
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
William Herod
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Levi Lincoln
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
Richard P. Marvin

Mr. James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
Calvary Morris
John L. Murray
Charles Naylor
William H. Noble
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
David Petrinkin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
John Pope
Zadock Pratt
Harvey Putnam
Joseph F. Randolph
Luther Reily
Abraham Rencher
R. Barnwell Rhett
Joseph Ridgway
Francis E. Rives
John Robertson
Edward Robinson
Edward Rumsey
Leverett Saltonstall
Samuel T. Sawyer
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Shepler
Mark H. Sibley
Francis O. J. Smith
Adam W. Snyder
William W. Southgate
James B. Spencer
Archibald Stuart
William Stone

Mr. Charles C. Stratton
Henry Swearingen
John Taliaferro
William Taylor
Francis Thomas
Waddy Thompson, jr.
Obadiah Titus
George W. Toland

Mr. Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
David D. Wagner
Taylor Webster
Albert S. White
John White

Mr. Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Thomas J. Word
Archibald Yell
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John Quincy Adams
George Evans

Mr. Horace Everett
David Potts, jr.

Mr. David Russell
William Shade.

And then, at half past three o'clock, the House adjourned until tomorrow, twelve o'clock, meridian.

WEDNESDAY, DECEMBER 12, 1838.

The Journal of yesterday having been read,

A motion was made by Mr. Wise that the same be amended, by stating therein that he refused to vote on the question, that the House do agree to the first of the resolutions moved by Mr. Atherton.

And on the question, Shall the Journal be so amended?

It passed in the negative.

A message from the Senate, by Mr. Dickens, their Secretary:

Mr. Speaker: The Senate have passed the concurrent resolution presenting the thanks of Congress to George Washington Lafayette, the son, and to the surviving family of General Lafayette. The Senate have, also, passed a resolution for the appointment of a joint committee, to consist of three members from each House, to direct the expenditure of the money appropriated for the library of Congress; and have appointed Mr. Robbins, Mr. Allen, and Mr. Wall, of the committee on their part. And then he withdrew.

The House resumed the consideration of the unfinished business of yesterday, viz: the resolutions moved by Mr. Atherton.

The question recurred, that the House do agree to the *second* of the said resolutions; when

Mr. Biddle asked to be excused from voting on the said resolution; which request was refused by the House.

The question was then put, that the House do agree to the said second resolution; which is in the words following, viz:

Resolved, That petitions for the abolition of slavery in the District of Columbia and the Territories of the United States, and against the removal of slaves from one State to another, are a part of a plan of operations set on foot to affect the institution of slavery in the several States, and thus indirectly to destroy that institution within their limits.—

And passed in the affirmative, { Yeas, 136,
Nays, 65.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers

Mr. Andrew Beirne
John Bell
Bennet Bicknell
Samuel Birdsall
James W. Bouldin
John C. Brodhead

Mr. Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter

Mr. Zadok Casey
John Chambers
John Chaney
Reuben Chapman
William K. Clowney
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Isaac E. Crary
John W. Crockett
Samuel Cushman
William C. Dawson
Edmund Deberry
John Dennis
George C. Dromgoole
Alexander Duncan
Franklin H. Elmore
James Farrington
John Fairfield
Isaac Fletcher
Henry A. Foster
Albert Gallup
James Garland
Rice Garland
Thomas Glascock
James Graham
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray
John K. Griffin
Thomas L. Hamer
James Harlan
Albert G. Harrison
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Orin Holt
George W. Hopkins

Mr. Benjamin C. Howard
Edward B. Hubley
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Richard H. Menefee
Charles F. Mercer
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
James A. Pearce
David Petrikin

Mr. Lancelot Phelps
Francis W. Pickens
Arnold Plumer
John Pope
Zadock Pratt
Luther Reily
Abraham Rencher
R. Barnwell Rhett
Francis E. Rives
John Robertson
Edward Rumsey
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder
William W. Southgate
James B. Spencer
Archibald Stuart
William Stone
Henry Swearingen
John Taliaferro
William Taylor
Francis Thomas
Waddy Thompson, jr.
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
David D. Wagener
Taylor Webster
John White
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Christopher H. Williams
Thomas J. Word
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincey Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Bancker Ayerigg
William Key Bond
George N. Briggs
William B. Calhoun
Timothy Childs
John C. Clark
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
Caleb Cushing
Edward Darlington
Thomas Davee
Edward Davies
George H. Dunn
John Edwards
George Evans
Horace Everett
John Ewing

Mr. Richard Fletcher
Millard Fillmore
Jacob Fry, jr.
Joshua R. Giddings
Patrick G. Goode
William Graham
George Grennell, jr.
Hiland Hall
William Halsted
Alexander Harper
William S. Hastings
Thomas Henry
William Herod
Levi Lincoln
Richard P. Marvin
Samson Mason
John P. B. Maxwell
Thos. M. T. McKennan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noves

Mr. William Parmenter
Luther C. Peck
David Potts, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Edward Robinson
David Russell
Leverett Saltonstall
John Sergeant
Mark H. Sibley
William Slade
Francis O. J. Smith
Charles C. Stratton
Joseph L. Tillinghast
George W. Toland
Albert S. White
Joseph L. Williams
Thomas Jones Yorke.

The question recurred, that the House do agree to the *third* of the said resolutions; when

Mr. Thompson asked to be excused from voting on the said resolution; which request was refused by the House.

The question on the said third resolution was, on motion of Mr. Bond, divided;

And on the question that the House do agree to the first member of the said third resolution, being so much thereof as is contained in the words following:

“Resolved, That Congress has no right to do that indirectly which it cannot do directly.”—

It passed in the affirmative, { Yeas, 170,
 { Nays, 30.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. James Alexander, jr.
John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Ayer
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Samuel Birdsall
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chaney
Reuben Chapman
John C. Clark
William K. Clowney
Charles D. Coffin
Walter Coles
Henry W. Connor
Thomas Corwin
George W. Crabb
Robert Craig
Isaac E. Crary
John W. Crockett
Samuel Cushman
William C. Dawson
Thomas Davee
Edmund Deberry
John I. De Graff
John Dennis
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards
Franklin H. Elmore
John Ewing
James Farrington

Mr. John Fairfield
Isaac Fletcher
Henry A. Foster
Jacob Fry, jr.
Albert Gallup
James Garland
Rice Garland
Thomas Glascock
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray
John K. Griffin
Elisha Haley
William Halsted
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert H. Harrison
Alexander Harper
Richard Haves
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
William Herod
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward H. Hubley
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan

Mr. Arphaxed Loomis
Francis S. Lyon
Francis Mallory
James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Thos. M. T. McKennan
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
Joseph C. Noyes
John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
James A. Pearce
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
John Pope
Zadock Pratt
Joseph F. Randolph
Luther Reilly
Abraham Rencher
R. Barnwell Rhett
Joseph Ridgway
Francis E. Rives
John Robertson
Edward Rumsey
Samuel T. Sawyer
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder

Mr. William W. Southgate	Mr. Obadiah Titus	Mr. Thomas T. Whittlesey
James B. Spencer	Isaac Toucey	Sherrod Williams
Archibald Stuart	George W. Towns	Jared W. Williams
William Stone	Hopkins L. Turney	Joseph L. Williams
Charles C. Stratton	Henry Vail	Christopher H. Williams
Henry Swearingen	David D. Wagener	Thomas J. Word
John Taliaferro	Albert S. White	Archibald Yell.
William Taylor	John White	

Those who voted in the negative are—

Mr. John Quincy Adams	Mr. Edward Davies	Mr. Calvary Morris
Heman Allen	George Evans	Luther C. Peck
William Key Bond	Horace Everett	David Potts, jr.
Nathaniel B. Borden	Richard Fletcher	Harvey Putnam
George N. Briggs	Millard Fillmore	James Rariden
Timothy Childs	Joshua R. Giddings	Leverett Saltonstall
Robert B. Cranston	George Grennell, jr.	William Slade
Edward Curtis	Hiland Hall	Francis O. J. Smith
Caleb Cushing	John P. Kennedy	Joseph L. Tillinghast
Edward Darlington	Levi Lincoln	Thomas Jones Yorke.

The question was then put, that the House do agree to the second member of the said third resolution, being so much thereof as is contained in the words following:

“And that the agitation of the subject of slavery in the District of Columbia or the Territories, as a means and with the view of disturbing or overthrowing that institution in the several States, is against the true spirit and meaning of the constitution, an infringement of the rights of the States affected, and a breach of the public faith on which they entered into this confederacy.”—

And passed in the affirmative, { Yeas, 164,
Nays, 39.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. James Alexander, jr.	Mr. William K. Clowney	Mr. Seaton Grantland
John W. Allen	Charles D. Coffin	Abraham P. Grant
Hugh J. Anderson	Walter Coles	William J. Graves
John T. Andrews	Henry W. Connor	Hiram Gray
Charles G. Atherton	Thomas Corwin	John K. Griffin
J. Banker Aycrigg	George W. Crabb	Elisha Haley
Linn Banks	Robert Craig	Robert H. Hammond
William Beatty	Isaac E. Crary	Thomas L. Hamer
Cyrus Beers	John W. Crockett	Albert G. Harrison
Andrew Beirne	Edward Curtis	Alexander Harper
John Bell	Samuel Cushman	Richard Hawes
Bennet Bicknell	William C. Dawson	Micajah T. Hawkins
Samuel Birdsall	Thomas Davee	Charles E. Haynes
William Key Bond	Edmund Deberry	Orrin Holt
James W. Bouldin	John I. De Graff	George W. Hopkins
John C. Brodhead	John Dennis	Benjamin C. Howard
Isaac H. Bronson	George C. Dromgoole	Edward B. Hubley
Andrew Buchanan	Alexander Duncan	William H. Hunter
Jesse A. Bynum	John Edwards	Robert M. T. Hunter
John Calhoun	Franklin H. Elmore	Samuel Ingham
C. C. Cambreleng	James Farrington	Thomas B. Jackson
William B. Campbell	John Fairfield	Jabez Jackson
John Campbell	Henry A. Foster	Henry Johnson
William B. Carter	Jacob Fry, jr.	Joseph Johnson
Zadok Casey	Albert Gallup	William Coet Johnson
John Chambers	James Garland	Nathaniel Jones
John Chaney	Rice Garland	John W. Jones
Reuben Chapman	Thomas Glascock	George M. Keim
John C. Clark	James Graham	Gouverneur Kemble

Mr. Charles McClure
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
David Petrikin
Lancelot Phelps
Francis W. Pickens

Mr. Zadock Pratt
Luther Reily
Abraham Rencher
R. Barnwell Rhett
Francis E. Rives
Augustine H. Shepperd
Charles Shepard
Matthias Shepler
Francis O. J. Smith
Adam W. Snyder
James B. Spencer
Archibald Stuart
Henry Swearingen

Mr. John Taliaferro
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Thomas T. Whitteley
Jared W. Williams
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
J. Banker Aycrigg
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
John Calhoun
William B. Campbell
William B. Carter
John Chambers
Timothy Childs
John C. Clark
Charles D. Coffin
Thomas Corwin
George W. Crabb
Robert B. Cranston
Edward Curtis
Galeb Cushing
Edward Darlington
William C. Dawson
Edward Davies
Edmund Deberry
John Dennis
George H. Dunn
John Edwards
George Evans
John Ewing
Richard Fletcher
Rice Garland

Mr. Joshua R. Giddings
Patrick G. Goede
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Robert M. T. Hunter
Jabez Jackson
Henry Johnson
William Cost Johnson
John P. Kennedy
Dixon H. Lewis
Levi Lincoln
Francis Mallory
Richard P. Marvin
Samson Mason
Abram P. Maury
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noyes
William Parmenter
James A. Pearce

Mr. Luther C. Peck
John Pope
David Potts, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
Leverett Saltonstall
Samuel T. Sawyer
John Sergeant
Ebenezer J. Shields
Mark H. Sibley
William Slade
William W. Southgate
Edward Stanley
William Stone
Charles C. Stratton
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

The doors were then opened, and the House divided on the motion for the previous question; when it was demanded by a majority of the members present.

The said previous question was then stated, to wit: Shall the main question be now put? and pending the same,

A motion was made by Mr. Bell (at forty minutes after one o'clock,) that the House do adjourn;

And the question being put,

It was decided in the negative, { Yeas, 101,
Nays, 113.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 John Bell
 Richard Biddle
 William Key Bond
 Nathaniel B. Borden
 George N. Briggs
 Andrew Buchanan
 William B. Calhoun
 John Calhoun
 William B. Campbell
 William B. Carter
 John Chambers
 Richard Cheatham
 Timothy Childs
 John C. Clark
 Charles D. Coffin
 Thomas Corwin
 George W. Crabb
 Robert B. Cranston
 John W. Crockett
 Edward Curtis
 Caleb Cushing
 Edward Darlington
 William C. Dawson
 Edward Davies
 John Dennis
 George H. Dunn
 George Evans
 Horace Everett
 John Ewing
 Richard Fletcher

Mr. Isaac Fletcher
 Millard Fillmore
 Rice Garland
 Joshua R. Giddings
 Patrick G. Goode
 William Graham
 William J. Graves
 George Grennell, jr.
 Hiland Hall
 James Harlan
 Alexander Harper
 William S. Hastings
 Richard Hawes
 William Herod
 Jabez Jackson
 Henry Johnson
 John P. Kennedy
 Levi Lincoln
 Richard P. Marvin
 Samsen Mason
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 William Parmenter
 James A. Pearce
 Luther C. Peck

Mr. John Pope
 David Potts, jr.
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 Edward Robinson
 Edward Rumsey
 David Russell
 Leverett Saltonstall
 John Sergeant
 Ebenezer J. Shields
 Mark H. Sibley
 William Slade
 Francis O. J. Smith
 William W. Southgate
 Edward Stanly
 William Stone
 Charles C. Stratton
 John Taliaferro
 Waddy Thompson, jr.
 Joseph L. Tillinghast
 George W. Toland
 Joseph R. Underwood
 Albert S. White
 John White
 Joseph L. Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 J. Banker Aycrigg
 Linn Banks
 William Beatty
 Cyrus Beers
 Andrew Beirne
 Bennet Bicknell
 Samuel Birdsell
 James W. Bouldin
 John C. Brodhead
 Isaac H. Branson
 Jesse A. Bynum
 C. C. Cambrelang
 John Campbell
 Zadok Casey
 John Chaney
 Reuben Chapman
 William K. Clowney
 Walter Coles
 Henry W. Connor
 Robert Craig
 Isaac E. Cray
 Samuel Cushman
 Edmund Deberry
 George C. Dromgoole
 Alexander Duncan

Mr. Franklin H. Elmore
 James Farrington
 John Fairfield
 Henry A. Foster
 Jacob Fry, jr.
 Albert Gallup
 Thomas Glascock
 James Graham
 Seaton Grantland
 Hiram Gray
 John K. Griffin
 Elisha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Micaiah T. Hawkins
 Charles E. Haynes
 Orrin Holt
 George W. Hopkins
 Benjamin C. Howard
 Edward B. Hubley
 William H. Hunter
 Robert M. T. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Daniel Jenifer
 Joseph Johnson
 William Cost Johnson

Mr. Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Hugh S. Legare
 Daniel P. Leadbetter
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 John L. Murray
 William H. Noble
 John Palmer
 Amasa J. Parker
 Virgil D. Parris
 David Petrikin

Mr. Lancelot Phelps
Francis W. Pickens
Zadock Pratt
R. Barnwell Rhett
Francis E. Rives
John Robertson
Samuel T. Sawyer
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard

Mr. Matthias Sheplor
Adam W. Snyder
James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns

Mr. Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Archibald Yell.

The previous question was then put, viz: Shall the main question be now put?

And passed in the affirmative, { Yeas, 114,
 { Nays, 107.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
William B. Campbell
John Campbell
Zadok Casey
John Chaney
Reuben Chapman
William K. Clowney
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Isaac E. Crary
Samuel Cushman
William C. Dawson
Thomas Davee
Edmund Doberry
John I. De Graff
George C. Dromgoole
Alexander Duncan
Franklin H. Elmore
James Farrington
John Fairfield
Henry A. Foster
Jacob Fry, jr.
Albert Gallup

Mr. James Garland
Thomas Glascock
Seaton Grantland
Abraham P. Grant
Hiram Gray
John K. Griffin
Robert H. Hammond
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Joseph Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure

Mr. Charles F. Mercer
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
Zadock Pratt
Luther Reily
R. Barnwell Rhett
Francis E. Rives
Charles Shepard
Matthias Sheplor
Adam W. Snyder
James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
David D. Wagener
Taylor Webster
Joseph Weeks
Thomas T. Whittlesey
Jared W. Williams
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Ayrcrigg
John Bell
Richard Biddle
William Key Bond

Mr. Nathaniel B. Borden
James W. Bouldin
George N. Briggs
William B. Calhoun
John Calhoun
William B. Carter
John Chambers
Richard Cheatham

Mr. Timothy Childs
John C. Clark
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing

Mr. Edward Darlington

Edward Davies

John Dennis

George H. Dunn

John Edwards

George Evans

Horace Everett

John Ewing

Richard Fletcher

Isaac Fletcher

Millard Fillmore

Rice Garland

Joshua R. Giddings

Patrick G. Goode

James Graham

William Graham

William J. Graves

George Grennell, jr.

Elisha Haley

Hiland Hall

James Harlan

Alexander Harper

William S. Hastings

Richard Hawes

William Herod

Samuel Ingham

Daniel Jenifer

Henry Johnson

Mr. William Cost Johnson

John P. Kennedy

Levi Lincoln

Richard P. Marvin

Samson Mason

Abram P. Maury

William L. May

John P. B. Maxwell

Thomas M. T. McKennan

Richard H. Menefee

John J. Milligan

Charles F. Mitchell

Calvary Morris

Charles Naylor

Joseph C. Noyes

William Parmenter

James A. Pearce

Luther C. Peck

John Pope

David Potts, jr.

Harvey Putnam

James Rariden

Joseph F. Randolph

John Reed

Abraham Rencher

Joseph Ridgway

John Robertson

Edward Robinson

Mr. Edward Rumsey

David Russell

Jeverett Saltonstall

John Sergeant

Augustine H. Shepperd

Ebenezer J. Shields

Mark H. Sibley

William Slade

Francis O. J. Smith

William W. Southgate

Edward Stanly

William Stone

Charles C. Stratton

John Taliaferro

Waddy Thompson, jr.

Joseph L. Tillinghast

George W. Toland

Joseph R. Underwood

Abraham Vanderveer

Albert S. White

John White

Sherrod Williams

Joseph L. Williams

Christopher H. Williams

Henry A. Wise

Thomas J. Word

Thomas Jones Yorks.

The said main question was then stated, viz : That the House do agree to the resolutions ; when

Mr. Cushing called for a division thereof, so that the question be taken on each resolution separately.

Mr. Christopher H. Williams asked to be excused from voting on the resolutions.

A motion was then, at a quarter past two o'clock, made by Mr. William Cost Johnson, that the House do adjourn ;

And the question being put,

It passed in the negative, { Yeas, 108,
 { Nays, 113.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams

James Alexander, jr.

Heman Allen

John W. Allen

J. Banker Aycrigg

John Bell

Richard Biddle

William Key Bond

Nathaniel B. Borden

George N. Briggs

Andrew Buchanan

William B. Calhoun

John Calhoun

William B. Campbell

William B. Carter

John Chambers

Richard Cheatham

Timothy Childs

John C. Clark

Charles D. Coffin

Thomas Corwin

Mr. George W. Crabb

Robert B. Cranston

John W. Crockett

Edward Curtis

Caleb Cushing

Edward Darlington

William C. Dawson

Edward Davies

Edmund Deberry

John Dennis

George H. Dunn

George Evans

Horace Everett

John Ewing

Richard Fletcher

Isaac Fletcher

Millard Fillmore

Jacob Fry, jr.

James Garland

Rice Garland

Joshua R. Giddings

Mr. Patrick G. Goode

William J. Graves

George Grennell, jr.

Elisha Haley

Hiland Hall

James Harlan

Alexander Harper

William S. Hastings

Richard Hawes

William Herod

Jabez Jackson

Daniel Jenifer

Henry Johnson

William Cost Johnson

John P. Kennedy

Levi Lincoln

Richard P. Marvin

Samson Mason

Abram P. Maury

William L. May

John P. B. Maxwell

Mr. Thomas M. T. McKennan	Mr. Joseph F. Randolph	Mr. William Stone
Richard H. Menefee	John Reed	Charles C. Stratton
Charles F. Mercer	Abraham Rencher	John Taliaferro
John J. Milligan	Joseph Ridgway	Waddy Thompson, jr.
Charles F. Mitchell	Edward Robinson	Joseph L. Tillinghast
Calvary Morris	Edward Rumsey	George W. Toland
Charles Naylor	David Russell	Joseph R. Underwood
Joseph C. Noyes	Leverett Saltonstall	Albert S. White
William Parmenter	John Sergeant	John White
James A. Pearce	Ebenezer J. Shields	Thomas T. Whittlesey
Luther C. Peck	Mark H. Sibley	Joseph L. Williams
John Pope	William Slade	Christopher H. Williams
David Potts, jr.	Francis O. J. Smith	Henry A. Wisc
Harvey Putnam	William W. Southgate	Thomas J. Word
James Rariden	Edward Stanley	Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson	Mr. Hiram Gray	Mr. William H. Noble
John T. Andrews	John K. Griffin	John Palmer
Charles G. Atherton	Robert H. Hammond	Amasa J. Parker
Linn Banks	Thomas L. Hamer	Virgil D. Parris
William Beatty	Albert G. Harrison	Lemuel Paynter
Cyrus Beers	Micajah T. Hawkins	David Petrikin
Andrew Beirne	Charles E. Haynes	Lancelot Phelps
Bennet Bicknell	Orrin Holt	Francis W. Pickens
Samuel Birdsall	George W. Hopkins	Arnold Plumer
James W. Bouldin	Benjamin C. Howard	Zadock Pratt
John C. Brodhead	Edward B. Hubley	Luther Reily
Isaac H. Bronson	William H. Hunter	R. Barnwell Rhett
Jesse A. Bynum	Robert M. T. Hunter	Francis E. Rives
C. C. Cambreleng	Samuel Ingham	John Robertson
John Campbell	Thomas B. Jackson	Samuel T. Sawyer
Zadok Casey	Joseph Johnson	Daniel Sheffer
John Chaney	Nathaniel Jones	Augustine H. Sheppard
Reuben Chapman	John W. Jones	Charles Shepard
William K. Clowney	George M. Keim	Matthias Sheplor
Walter Coles	Gouverneur Kemble	Adam W. Snyder
Henry W. Connor	John Klingensmith, jr.	James B. Spencer
Robert Craig	Hugh S. Legare	Archibald Stuart
Isaac E. Crary	Daniel P. Leadbetter	Henry Swearingen
Samuel Cushman	Dixon H. Lewis	William Taylor
John I. De Graff	Henry Logan	Francis Thomas
George C. Dromgoole	Arphaxed Loomis	Obadiah Titus
Alexander Duncan	Francis S. Lyon	Isaac Toucey
John Edwards	Francis Mallory	George W. Towns
Franklin H. Elmore	James M. Mason	Hopkins L. Turney
James Farrington	Joshua L. Martin	Henry Vail
John Fairfield	James J. McKay	Abraham Vanderveer
Henry A. Foeter	Robert McClellan	David D. Wagener
Albert Gallup	Abraham McClellan	Taylor Webster
Thomas Glascock	William Montgomery	Joseph Weeks
James Graham	Ely Moore	Sherrod Williams
William Graham	William S. Morgan	Jared W. Williams
Seaton Grantland	Samuel W. Morris	Archibald Yell.
Abram P. Grant	John L. Murray	

The question was then put, Shall Mr. C. H. Williams be excused from voting?

And passed in the negative.

Mr. Underwood asked to be excused from voting on the resolutions; which request was refused by the House.

The question was then put, That the House do agree to the *first* of the said resolutions, being in the words following, viz :

1. *Resolved*, That this Government is a Government of limited powers;

and that, by the constitution of the United States, Congress has no jurisdiction whatever over the institution of slavery in the several States of the confederacy.—

And passed in the affirmative, { Yeas, 198,
Nays, 6.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. James Alexander, jr.
Heman Allen
John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Aycrigg
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsall
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chambers
John Chaney
Reuben Chapman
Richard Cheatham
Timothy Childs
John C. Clark
William K. Clowney
Charles D. Coffin
Walter Coles
Henry W. Connor
Thomas Corwin
George W. Crabb
Robert Craig
Isaac E. Crary
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Samuel Cushman
William C. Dawson
Thomas Davee
Edward Davies
Edmund Deberry
John I. De Graff
John Dennis
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards

Mr. Franklin H. Elmore
James Farrington
John Fairfield
Isaac Fletcher
Millard Fillmore
Henry A. Foster
Jacob Fry, jr.
James Garland
Rice Garland
Joshua R. Giddings
Thomas Glascock
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray
George Grennell, jr.
John K. Griffin
Elisha Haley
Hiland Hall
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
Alexander Harper
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
William Herod
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Levi Lincoln
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
Richard P. Marvin

Mr. James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
Calvary Morris
John L. Murray
Charles Naylor
William H. Noble
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
John Pope
Zadock Pratt
Harvey Putnam
Joseph F. Randolph
Luther Reily
Abraham Rencher
R. Barnwell Rhett
Joseph Ridgway
Francis E. Rives
John Robertson
Edward Robinson
Edward Rumsey
Leverett Saltonstall
Samuel T. Sawyer
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Sheplor
Mark H. Sibley
Francis O. J. Smith
Adam W. Snyder
William W. Southgate
James B. Spencer
Archibald Stuart
William Stone

Mr. Zadok Casey
 John Chambers
 John Chaney
 Reuben Chapman
 William K. Clowney
 Walter Coles
 Henry W. Connor
 George W. Crabb
 Robert Craig
 Isaac E. Crary
 John W. Crockett
 Samuel Cushman
 William C. Dawson
 Edmund Deberry
 John Dennis
 George C. Dromgoole
 Alexander Duncan
 Franklin H. Elmore
 James Farrington
 John Fairfield
 Isaac Fletcher
 Henry A. Foster
 Albert Gallup
 James Garland
 Rice Garland
 Thomas Glascock
 James Graham
 Seaton Grantland
 Abraham P. Grant
 William J. Graves
 Hiram Gray
 John K. Griffin
 Thomas L. Hamer
 James Harlan
 Albert G. Harrison
 Richard Hawes
 Micajah T. Hawkins
 Charles E. Haynes
 Orrin Holt
 George W. Hopkins

Mr. Benjamin C. Howard
 Edward B. Hubley
 Robert M. T. Hunter
 Thomas B. Jackson
 Jabez Jackson
 Henry Johnson
 Joseph Johnson
 William Cost Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kemble
 John P. Kennedy
 John Klingensmith, jr.
 Daniel P. Leadbetter
 Dixon H. Lewis
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 Richard H. Menefee
 Charles F. Mercer
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 John L. Murray
 William H. Noble
 John Palmer
 Amasa J. Parker
 Virgil D. Parris
 Lemuel Paynter
 James A. Pearce
 David Petrikin

Mr. Lancelot Phelps
 Francis W. Pickens
 Arnold Plumer
 John Pope
 Zadock Pratt
 Luther Reily
 Abraham Rencher
 R. Barnwell Rhett
 Francis E. Rives
 John Robertson
 Edward Rumsey
 Augustine H. Shepperd
 Charles Shepard
 Ebenezer J. Shields
 Matthias Shepler
 Adam W. Snyder
 William W. Southgate
 James B. Spencer
 Archibald Stuart
 William Stone
 Henry Swearingen
 John Taliaferro
 William Taylor
 Francis Thomas
 Waddy Thompson, jr.
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Henry Vail
 David D. Wagener
 Taylor Webster
 John White
 Thomas T. Whittlesey
 Sherrod Williams
 Jared W. Williams
 Christopher H. Williams
 Thomas J. Word
 Archibald Yell.

Those who voted in the negative are—

Mr. John Quincey Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 J. Bancker Ayerigg
 William Key Bond
 George N. Briggs
 William B. Calhoun
 Timothy Childs
 John C. Clark
 Charles D. Coffin
 Thomas Corwin
 Robert B. Cranston
 Caleb Cushing
 Edward Darlington
 Thomas Davee
 Edward Davies
 George H. Dunn
 John Edwards
 George Evans
 Horace Everett
 John Ewing

Mr. Richard Fletcher
 Millard Fillmore
 Jacob Fry, jr.
 Joshua R. Giddings
 Patrick G. Goode
 William Graham
 George Grennell, jr.
 Hiland Hall
 William Halsted
 Alexander Harper
 William S. Hastings
 Thomas Henry
 William Herod
 Levi Lincoln
 Richard P. Marvin
 Samson Mason
 John P. B. Maxwell
 Thos. M. T. McKennan
 Charles F. Mitchell
 Calvary Morris
 Charles Naylor
 Joseph C. Neves

Mr. William Parmenter
 Luther C. Peck
 David Potts, jr.
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Saltonstall
 John Sergeant
 Mark H. Sibley
 William Slade
 Francis O. J. Smith
 Charles C. Stratton
 Joseph L. Tillinghast
 George W. Toland
 Albert S. White
 Joseph L. Williams
 Thomas Jones Yorke.

The question recurred, that the House do agree to the *third* of the said resolutions; when

Mr. Thompson asked to be excused from voting on the said resolution; which request was refused by the House.

The question on the said third resolution was, on motion of Mr. Bond, divided;

And on the question that the House do agree to the first member of the said third resolution, being so much thereof as is contained in the words following:

“Resolved, That Congress has no right to do that indirectly which it cannot do directly.”—

It passed in the affirmative, { Yeas, 170,
Nays, 30.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. James Alexander, jr.
John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Aycrigg
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Samuel Birdsell
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chaney
Reuben Chapman
John C. Clark
William K. Clowney
Charles D. Coffin
Walter Coles
Henry W. Connor
Thomas Corwin
George W. Crabb
Robert Craig
Isaac E. Cray
John W. Crockett
Samuel Cushman
William C. Dawson
Thomas Davee
Edmund Deberry
John I. De Graff
John Dennis
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards
Franklin H. Elmore
John Ewing
James Farrington

Mr. John Fairfield
Isaac Fletcher
Henry A. Foster
Jacob Fry, jr.
Albert Gallup
James Garland
Rice Garland
Thomas Glascock
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray
John K. Griffin
Elisha Haley
William Halsted
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert H. Harrison
Alexander Harper
Richard Hayes
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
William Herod
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward H. Hubley
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan

Mr. Arphaxed Loomis
Francis S. Lyon
Francis Mallory
James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Thos. M. T. McKennan
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
Joseph C. Noyes
John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
James A. Pearce
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
John Pope
Zadock Pratt
Joseph F. Randolph
Luther Reilly
Abraham Rencher
R. Barnwell Rhett
Joseph Ridgway
Francis E. Rives
John Robertson
Edward Rumsey
Samuel T. Sawyer
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder

Mr. William W. Southgate	Mr. Obadiah Titus	Mr. Thomas T. Whittlesey
James B. Spencer	Isaac Toucey	Sherrod Williams
Archibald Stuart	George W. Towns	Jared W. Williams
William Stone	Hopkins L. Turney	Joseph L. Williams
Charles C. Stratton	Henry Vail	Christopher H. Williams
Henry Swearingen	David D. Wagener	Thomas J. Word
John Taliaferro	Albert S. White	Archibald Yell.
William Taylor	John White	

Those who voted in the negative are—

Mr. John Quincy Adams	Mr. Edward Davies	Mr. Calvary Morris
Heman Allen	George Evans	Luther C. Peck
William Key Bond	Horace Everett	David Potts, jr.
Nathaniel B. Borden	Richard Fletcher	Harvey Putnam
George N. Briggs	Millard Fillmore	James Rariden
Timothy Childs	Joshua R. Giddings	Leverett Saltonstall
Robert B. Cranston	George Grennell, jr.	William Slade
Edward Curtis	Hiland Hall	Francis O. J. Smith
Caleb Cushing	John P. Kennedy	Joseph L. Tillinghast
Edward Darlington	Levi Lincoln	Thomas Jones Yorke.

The question was then put, that the House do agree to the second member of the said third resolution, being so much thereof as is contained in the words following :

“And that the agitation of the subject of slavery in the District of Columbia or the Territories, as a means and with the view of disturbing or overthrowing that institution in the several States, is against the true spirit and meaning of the constitution, an infringement of the rights of the States affected, and a breach of the public faith on which they entered into this confederacy.”—

And passed in the affirmative, { Yeas, 164,
Nays, 39.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. James Alexander, jr.	Mr. William K. Clowney	Mr. Seaton Grantland
John W. Allen	Charles D. Coffin	Abraham P. Grant
Hugh J. Anderson	Walter Coles	William J. Graves
John T. Andrews	Henry W. Connor	Hiram Gray
Charles G. Atherton	Thomas Corwin	John K. Griffin
J. Banker Aycrigg	George W. Crabb	Elisha Haley
Linn Banks	Robert Craig	Robert H. Hammond
William Beatty	Isaac E. Cray	Thomas L. Hamer
Cyrus Beers	John W. Crockett	Albert G. Harrison
Andrew Beirne	Edward Curtis	Alexander Harper
John Bell	Samuel Cushman	Richard Hawes
Bennet Bicknell	William C. Dawson	Micajah T. Hawkins
Samuel Birdsall	Thomas Davee	Charles E. Haynes
William Key Bond	Edmund Deberry	Orrin Holt
James W. Bouldin	John I. De Graff	George W. Hopkins
John C. Brodhead	John Dennis	Benjamin C. Howard
Isaac H. Bronson	George C. Dromgoole	Edward B. Hubley
Andrew Buchanan	Alexander Duncan	William H. Hunter
Jesse A. Bynum	John Edwards	Robert M. T. Hunter
John Calhoun	Franklin H. Elmore	Samuel Ingham
C. C. Cambreleng	James Farrington	Thomas B. Jackson
William B. Campbell	John Fairfield	Jabez Jackson
John Campbell	Henry A. Foster	Henry Johnson
William B. Carter	Jacob Fry, jr.	Joseph Johnson
Zadok Casey	Albert Gallup	William Cost Johnson
John Chambers	James Garland	Nathaniel Jones
John Chaney	Rice Garland	John W. Jones
Reuben Chapman	Thomas Glascock	George M. Keim
John C. Clark	James Graham	Gouverneur Kemble

Mr. John P. Kennedy
 John Klingensmith, jr.
 Hugh S. Legare
 Daniel P. Leadbetter
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 James M. Mason
 Joshua L. Martin
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 John L. Murray

Mr. William H. Noble
 John Palmer
 Amasa J. Parker
 Virgil D. Parris
 Lemuel Paynter
 James A. Pearce
 David Petrikin
 Lancelot Phelps
 Francis W. Pickens
 Arnold Plumer
 John Pope
 Zadock Pratt
 Joseph F. Randolph
 Luther Reily
 Abraham Rencher
 R. Barnwell Rhett
 Francis E. Rives
 John Robertson
 Edward Rumsey
 Samuel T. Sawyer
 Augustine H. Shepperd
 Charles Shepard
 Ebenezer J. Shields
 Matthias Sheplor
 Adam W. Snyder
 William W. Southgate

Mr. James B. Spencer
 Archibald Stuart
 William Stone
 Charles C. Stratton
 Henry Swearingen
 John Taliaferro
 William Taylor
 Francis Thomas
 Waddy Thompson, jr.
 Obadiah Titus
 Isaac Toucey
 Hopkins L. Turney
 Henry Vail
 David D. Wagener
 Taylor Webster
 Albert S. White
 John White
 Thomas T. Whittlesey
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 Christopher H. Williams
 Thomas J. Word
 Archibald Yell
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John Quincy Adams
 Heman Allen
 Nathaniel B. Borden
 George N. Briggs
 William B. Calhoun
 Timothy Childs
 Robert B. Cranston
 Caleb Cushing
 Edward Darlington
 Edward Davies
 George H. Dunn
 George Evans
 Horace Everett

Mr. Richard Fletcher
 Isaac Fletcher
 Millard Fillmore
 Joshua R. Giddings
 Patrick G. Goode
 George Grennell, jr.
 Hiland Hall
 William Halsted
 William S. Hastings
 Levi Lincoln
 Samson Mason
 Thomas M. T. McKennan
 Charles F. Mitchell

Mr. Calvary Morris
 Joseph C. Noyes
 Luther C. Peck
 David Potts, jr.
 Harvey Putnam
 James Rariden
 Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Saltonstall
 Mark H. Sibley
 William Slade
 Joseph L. Tillinghast.

The question recurred, that the House do agree to the *fourth* resolution.

Mr. Lincoln called for a division of the question on said resolution;

And on the question that the House do agree to the first member thereof, being so much as is contained in the words following:

“Resolved, That the constitution rests on the broad principle of equality among the members of this confederacy.”—

It passed in the affirmative, { Yeas, 182,
 { Nays, 26.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. James Alexander, jr.
 John W. Allen
 Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 J. Banker Aycrigg
 Linn Banks
 William Beatty
 Cyrus Beers
 Andrew Beirne

Mr. John Bell
 Bennet Bicknell
 Samuel Birdsall
 William Key Bond
 George N. Briggs
 John C. Brodhead
 Isaac H. Bronson
 Andrew Buchanan
 Jesse A. Bynum
 John Calhoun

Mr. C. C. Cambreleng
 William B. Campbell
 John Campbell
 William B. Carter
 Zadok Casey
 John Chambers
 John Chaney
 Reuben Chapman
 John C. Clark
 William K. Clowney

Mr. Charles D. Coffin
 Walter Coles
 Henry W. Connor
 Thomas Corwin
 George W. Crabb
 Robert Craig
 Isaac E. Crary
 John W. Crockett
 Caleb Cushing
 Samuel Cushman
 William C. Dawson
 Thomas Davee
 Edmund Deberry
 John I. De Graff
 John Dennis
 George C. Dromgoole
 Alexander Duncan
 George H. Dunn
 John Edwards
 Franklin H. Elmore
 John Ewing
 James Farrington
 John Fairfield
 Isaac Fletcher
 Millard Fillmore
 Henry A. Foster
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 Rice Garland
 Joshua R. Giddings
 Thomas Glascock
 Patrick G. Goode
 James Graham
 William Graham
 Seaton Grantland
 Abraham P. Grant
 Hiram Gray
 John K. Griffin
 Elisha Haley
 William Halsted
 Robert H. Hammond
 Thomas L. Hamer
 James Harlan
 Albert G. Harrison
 Alexander Harper
 Richard Hawes
 Micajah T. Hawkins
 Charles E. Haynes
 Thomas Henry
 William Herod

Mr. Orrin Holt
 George W. Hopkins
 Benjamin C. Howard
 Edward B. Hubley
 Robert M. T. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 Henry Johnson
 Joseph Johnson
 William Cost Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Hugh S. Legare
 Daniel P. Leadbetter
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 Richard P. Marvin
 James M. Mason
 Samson Mason
 Joshua L. Martin
 Abram P. Maury
 William L. May
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 Thos. M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 Calvary Morris
 John L. Murray
 Charles Naylor
 William H. Noble
 Joseph C. Noyes
 John Palmer
 Amasa J. Parker
 William Parmenter
 Virgil D. Parris

Mr. Lemuel Paynter
 James A. Pearce
 Luther C. Peck
 David Petrikin
 Lancelot Phelps
 Francis W. Pickens
 Arnold Plumer
 John Pope
 Zadock Pratt
 Harvey Putnam
 James Rariden
 Luther Reily
 Abraham Rencher
 R. Barnwell Rhett
 Joseph Ridgway
 Francis E. Rives
 John Robertson
 Edward Rumsey
 Samuel T. Sawyer
 Augustine H. Shepperd
 Charles Shepard
 Ebenezer J. Shields
 Matthias Sheplor
 Adam W. Snyder
 William W. Southgate
 James B. Spencer
 Archibald Stuart
 William Stone
 Charles C. Stratton
 Henry Swearingen
 John Taliaferro
 William Taylor
 Francis Thomas
 Waddy Thompson, jr.
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 John White
 Thomas T. Whittlesey
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 Christopher H. Williams
 Thomas J. Word
 Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
 Heman Allen
 Nathaniel B. Borden
 William B. Calhoun
 Robert B. Cranston
 Edward Curtis
 Edward Darlington
 Edward Davies
 George Evans

Mr. Horace Everett
 Richard Fletcher
 George Grennell, jr.
 Hiland Hall
 William S. Hastings
 John P. Kennedy
 Levi Lincoln
 John P. B. Maxwell
 David Potts, jr.

Mr. Joseph F. Randolph
 Edward Robinson
 David Russell
 Leverett Saltonstall
 William Slade
 Joseph L. Tillinghast
 Albert S. White
 Thomas Jones Yorke.

The question was then put, that the House do agree to the second member of the said fourth resolution, being so much thereof as is contained in the words following:

"And that Congress, in the exercise of its acknowledged powers, has no right to discriminate between the institutions of one portion of the States and another, with a view of abolishing the one and promoting the other."—

And passed in the affirmative, { Yeas, 174,
Nays, 26.

The yeas and nays being desired by one-fifth of the members present.
Those who voted in the affirmative are—

Mr. James Alexander, jr.
John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Aycrigg
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Samuel Birdsall
William Key Bond
James W. Bouldin
George N. Briggs
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chambers
John Chaney
Reuben Chapman
John C. Clark
William K. Clowney
Charles D. Coffin
Walter Coles
Henry W. Connor
Thomas Corwin
George W. Crabb
Robert Craig
Isaac E. Crary
John W. Crockett
Caleb Cushing
Samuel Cushman
William C. Dawson
Thomas Davee
Edmund Deberry
John Dennis
George C. Dromigoole
Alexander Duncan
John Edwards
Franklin H. Elmore
James Farrington
John Fairfield
Isaac Fletcher
Henry A. Foster
Jacob Fry, jr.
James Garland
Rice Garland

Mr. Thomas Glascock
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
William J. Graves
Hiram Gray
John K. Griffin
Elisha Haley
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
Alexander Harper
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
William Herod
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis Mallory
Richard P. Marvin
James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Thos. M. T. McKennan
Richard H. Menefee
Charles F. Mercer

Mr. John J. Milligan
Charles F. Mitchell
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
Calvary Morris
John L. Murray
Charles Naylor
William H. Noble
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
James A. Pearce
David Petrikin
Lancelot Phelps
Francis W. Pickens
John Pope
Zadock Pratt
Harvey Putnam
Joseph F. Randolph
Luther Reily
Abraham Rencher
R. Barnwell Rhett
Joseph Ridgway
Francis E. Rives
John Robertson
Edward Rumsey
Samuel T. Sawyer
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Sheplor
Mark H. Sibley
Adam W. Snyder
William W. Southgate
James B. Spencer
Archibald Stuart
William Stone
Charles C. Stratton
Henry Swearingen
John Taliaferro
William Taylor
Francis Thomas
Waddy Thompson, jr.
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Albert S. White

Mr. John White
Thomas T. Whittlesey
Sherrod Williams

Mr. Jared W. Williams
Joseph L. Williams
Christopher H. Williams

Mr. Thomas J. Word
Archibald Yell
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John Quincy Adams
Heman Allen
Nathaniel B. Borden
William B. Calhoun
Robert B. Cranston
Edward Darlington
Edward Davies
George H. Dunn
George Evans

Mr. Horace Everett
Richard Fletcher
Millard Fillmore
Joshua R. Giddings
George Grennell, jr.
Hiland Hall
William Halsted
William S. Hastings
Levi Lincoln

Mr. Luther C. Peck
David Potts, jr.
James Rariden
Edward Robinson
Levesett Saltonstall
William Slade
Francis O. J. Smith
Joseph L. Tillinghast.

The question recurred, that the House do agree to the *fifth* resolution—
Mr. Randolph called for a division of this question ;

And on the question, that the House do agree to the first member of said resolution, being so much thereof as is contained in the words following :

Resolved, therefore; That all attempts on the part of Congress to abolish slavery in the District of Columbia or the Territories, or to prohibit the removal of slaves from State to State, or to discriminate between the institutions of one portion of the confederacy and another, with the views aforesaid, are in violation of the constitution, destructive of the fundamental principle on which the Union of these States rests, and beyond the jurisdiction of Congress.—

It passed in the affirmative, { Yeas, 149,
 { Nays, 52.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Samuel Birdsall
William Key Bond
James W. Bouldin
John C. Brodhead
Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chambers
John Chaney
Reuben Chapman
William K. Clowney
Walter Coles
Henry W. Connor
Thomas Corwin
George W. Crabb
Robert Craig

Mr. Isaac E. Crary
John W. Crockett
Edward Curtis
Samuel Cushman
William C. Dawson
Edmund Deberry
John I. De Graff
John Dennis
George C. Dromgoole
Alexander Duncan
Franklin H. Elmore
James Farrington
John Fairfield
Jacob Fry, jr.
Albert Gallup
James Garland
Rice Garland
Thomas Glascock
James Graham
Seaton Grantland
Hiram Gray
John K. Griffin
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
Alexander Harper
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt

Mr. Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphexed Loomis
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
Abner P. Maury
William L. May
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Richard H. Menefee

Mr. Charles F. Mercer
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
James A. Pearce
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
John Pope
Zadock Pratt
Joseph F. Randolph

Mr. Luther Reily
Abraham Rencher
R. Barnwell Rhett
Francis E. Rives
John Robertson
Edward Rumsey
Samuel T. Sawyer
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Sheplor
Adam W. Snyder
William W. Southgate
James B. Spencer
Archibald Stuart
William Stone
Henry Swearingen
John Taliaferro
William Taylor

Mr. Francis Thomas
Waddy Thompson, jr.
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
David D. Wagener
Taylor Webster
Albert S. White
John White
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Thomas J. Word
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
J. Banker Aycrig
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
Timothy Childs
Robert B. Cranston
Caleb Cushing
Edward Darlington
Edward Davies
George H. Dunn
John Edwards
George Evans
Horace Everett
Richard Fletcher
Isaac Fletcher

Mr. Millard Fillmore
Henry A. Foster
Joshua R. Giddings
Patrick G. Goode
Abraham P. Grant
George Grennell, jr.
Elisha Haley
Hiland Hall
William Halsted
William S. Hastings
Thomas Henry
William Herod
Levi Lincoln
Richard P. Marvin
Samson Mason
John P. B. Maxwell
Thomas M. T. McKennan

Mr. Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noyes
Luther C. Peck
David Potts, jr.
Harvey Putnam
James Rariden
John Reed
Edward Robinson
David Russell
Leverett Saltonstall
Daniel Sheffer
Mark H. Sibley
William Slade
Charles C. Stratton
Joseph L. Tillinghast.

The question recurred, that the House do agree to the second member of the said fifth resolution, being so much thereof as is contained in the words following :

“ And that every petition, memorial, resolution, proposition, or paper, touching, or relating in any way, or to any extent whatever, to slavery, as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table, without being debated, printed, or referred ;” when

A motion was made by Mr. Potts, that the said second member of the fifth resolution do lie on the table ;

And on the question, that the House do agree to this motion,

It passed in the negative, { Yeas, 77,
 { Nays, 135.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Aycrig
John Bell

Mr. William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
John Calhoun
Timothy Childs

Mr. John C. Clark
Charles D. Coffin
Thomas Corwin
George W. Crabb
Robert B. Cranston
Edward Curtis

Mr. Caleb Cushing
Edward Darlington
Thomas Davee
Edward Davies
George M. Dunn
John Edwards
George Evans
Horace Everett
John Ewing
Richard Fletcher
Isaac Fletcher
Millard Fillmore
Joshua R. Giddings
Patrick G. Goode
William Graham
William J. Graves
George Grennell, jr.
Elisha Haley
Hiland Hall
William Halsted

Mr. Alexander Harper
William S. Hastings
Thomas Henry
William Herod
Samuel Ingham
Levi Lincoln
Richard P. Marvin
Samson Mason
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
John J. Milligan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noyes
William Parmenter
Luther C. Peck
David Potts, jr.
Harvey Putnam

Mr. James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Edward Robinson
David Russell
Leverett Saltonstall
John Sergeant
Daniel Sheffer
Mark H. Sibley
William Slade
Francis O. J. Smith
Charles C. Stratton
Joseph L. Tillinghast
George W. Toland
Albert S. White
Joseph L. Williams
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsell
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
Churchill C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chaney
Reuben Chapman
William K. Clowney
Walter Coles
Henry W. Connor
Robert Craig
John W. Crockett
Samuel Cushman
William C. Dawson
Edmund Deberry
John I. De Graff
John Dennis
George C. Dromgoole
Alexander Duncan
Franklin H. Elmore
James Farrington
John Fairfield
Henry A. Foster
Jacob Fry, jr.
Albert Gallup
James Garland
Thomas Glascock
James Graham
Seaton Grantland
Abraham P. Grant
Hiram Gray

Mr. John K. Griffin
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingle-Smith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
Abraham P. Maury
William L. May
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Charles F. Mercer
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris

Mr. John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
James A. Pearce
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
Zadock Pratt
Luther Reily
Abraham Rencher
R. Barnwell Rhett
Francis E. Rives
John Robertson
Edward Rumsey
Samuel T. Sawyer
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder
William W. Southgate
James B. Spencer
Archibald Stuart
William Stone
Henry Swearingen
John Taliaferro
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towne
Hopkins L. Turney
Henry Vail
David D. Wagener
Taylor Webster
John White
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Christopher H. Williams
Archibald Yell.

The question then again recurred on the second member of the said fifth resolution; when

Mr. Pope and Mr. Chambers, severally, asked to be excused from voting thereon; which requests were refused by the House.

And the question was then put, that the House do agree to the said second member of the fifth resolution;

And passed in the affirmative, { Yeas, 128,
Nays, 78.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Lina Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
John C. Brodhead
Andrew Buchanan
Jesse A. Byrum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chaney
Reuben Chapman
William K. Clowney
Walter Coles
Henry W. Connor
Robert Craig
Isaac E. Crary
John W. Crockett
Samuel Cushman
William C. Dawson
Edmund Deberry
John I. De Graff
John Dennis
George C. Dromgoole
Franklin H. Elmore
James Farrington
John Fairfield
Jacob Fry, jr.
Albert Gallup
James Garland
Rice Garland
James Graham
Seaton Grantland
William J. Graves
Robert H. Hammond

Mr. Thomas L. Hamer
Albert G. Harrison
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Arphaxed Loomis
Francis S. Lyon
James M. Mason
Joshua L. Martin
Abram P. Maury
William L. May
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Richard H. Menefee
Charles F. Mercer
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble

Mr. John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
James A. Pearce
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
Zadock Pratt
Luther Reilly
Abraham Rencher
R. Barnwell Rhett
Francis E. Rives
John Robertson
Edward Rumsey
Samuel T. Sawyer
Augustine H. Sheppard
Charles Shepard
Ebeneser J. Shields
Adam W. Snyder
William W. Southgate
James B. Spencer
Archibald Stuart
William Stone
Henry Swearingen
John Talliaferro
William Taylor
Francis Thomas
Waddy Thompson, jr.
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
David D. Wagener
Taylor Webster
John White
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Christopher H. Williams
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Aycrigg
John Bell
William Key Bond

Mr. Nathaniel B. Borden
James W. Bouldin
George N. Briggs
Isaac H. Bronson
William B. Calhoun
Timothy Childs
John C. Clark

Mr. Charles D. Coffin
Thomas Corwin
George W. Crabb
Robert B. Cranston
Edward Curtis
Caleb Cushing
Edward Darlington

Mr. Thomas Dawes
Edward Davies
Alexander Duncan
George H. Dunn
John Edwards
George Evans
Horace Everett
John Ewing
Richard Fletcher
Isaac Fletcher
Millard Fillmore
Henry A. Foster
Joshua L. Giddings
Patrick G. Goode
William Graham
Abraham P. Grant
Hiram Gray
George Grennell, jr.
Elisha Haley

Mr. Hiland Hall
William Halsted
Alexander Harper
William S. Hastings
Thomas Henry
William Herod
Samuel Ingham
Levi Lincoln
Richard P. Marvin
Samson Mason
John P. B. Maxwell
Thos. M. T. McKennan
John J. Milligan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noyes
William Parmenter
Luther C. Peck

Mr. David Potts, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Edward Robinson
David Russell
Leverett Saltonstall
John Sergeant
Daniel Sheffer
William Slade
Charles C. Stratton
Joseph L. Tillinghast
George W. Toland
Albert S. White
Joseph L. Williams
Thomas J. Word
Thomas Jones Yorke.

And so it was

1. *Resolved*, That this Government is a Government of limited powers ; and that, by the constitution of the United States, Congress has no jurisdiction whatever over the institution of slavery in the several States of the confederacy.

2. *Resolved*, That petitions for the abolition of slavery in the District of Columbia and the Territories of the United States, and against the removal of slaves from one State to another, are a part of a plan of operations set on foot to affect the institution of slavery in the several States, and thus indirectly to destroy that institution within their limits.

3. *Resolved*, That Congress has no right to do that indirectly which it cannot do directly ; and that the agitation of the subject of slavery in the District of Columbia or the Territories, as a means, and with the view, of disturbing or overthrowing that institution in the several States, is against the true spirit and meaning of the constitution, an infringement of the rights of the States affected, and a breach of the public faith on which they entered into this confederacy.

4. *Resolved*, That the constitution rests on the broad principle of equality among the members of this confederacy ; and that Congress, in the exercise of its acknowledged powers, has no right to discriminate between the institutions of one portion of the States and another, with a view of abolishing the one and promoting the other.

5. *Resolved, therefore*, That all attempts on the part of Congress to abolish slavery in the District of Columbia or the Territories, or to prohibit the removal of slaves from State to State, or to discriminate between the institutions of one portion of the confederacy and another, with the views aforesaid, are in violation of the constitution, destructive of the fundamental principle on which the union of these States rests, and beyond the jurisdiction of Congress ; and that every petition, memorial, resolution, proposition, or paper, touching or relating in any way, or to any extent whatever, to slavery as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table, without being debated, printed, or referred.

Pending the calling of the yeas and nays on the several questions taken on the foregoing resolutions, Mr. Wise refused to vote.

A motion was made by Mr. Kennedy, that the rules in relation to the

order of business be suspended, to enable him to move a resolution; which was read at the Clerk's table; and thereupon

The House, at three o'clock, adjourned until to-morrow, twelve o'clock, meridian.

THURSDAY, DECEMBER 13, 1838.

Mr. Kennedy withdrew the motion made by him, and pending yesterday at the adjournment, to suspend the rules to enable him to move a resolution which was read at the Clerk's table.

A motion was made by Mr. John Quincy Adams that the rules in relation to the order of business be suspended, to enable him to move a resolution; which was read, and is in the words following:

"Resolved, That the powers of Congress being conferred by the constitution of the United States, no resolution of this House can add to or deduct from them."

And on the question, Shall the rules be suspended for the purpose aforesaid,

It passed in the negative, { Yeas, 75,
Nays, 124.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Hemen Allen
John W. Allen
J. Banker Ayerigg
Richard Biddle
William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
John Chambers
Richard Cheatham
Timothy Childs
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
Edward Curtis
Caleb Cushing
Edward Darlington
Edward Davies
John Dennis
George H. Dunn
George Evans
Horace Everett
John Ewing

Mr. Richard Fletcher
Isaac Fletcher
Millard Fillmore
Joshua R. Giddings
Patrick G. Goode
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
William Halsted
James Harlan
Alexander Harper
William S. Hastings
Thomas Henry
William Herod
Daniel Jenifer
William Cost Johnson
John P. Kennedy
Levi Lincoln
Francis Mallory
Richard P. Marvin
Samson Mason
William L. May
John P. B. Maxwell
John J. Milligan

Mr. Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noyes
Luther C. Peck
David Potts, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
John Sergeant
William Slade
William W. Southgate
John Taliaferro
Joseph L. Tillinghas.
George W. Toland
Albert S. White
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Bennet Bicknell
Samuel Birdsell
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan

Mr. John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
John Chaney
Reuben Chapman
John C. Clark
William K. Clowney
Walter Coles
Henry W. Connor

Mr. Robert Craig
Isaac E. Cray
John W. Crockett
Samuel Cushman
William C. Dawson
Edmund Deberry
George C. Dromgoole
Alexander Duncan
Franklin H. Ehmere
James Farrington
John Fairfield

Mr. Henry A. Foster
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 Thomas Glascock
 James Graham
 Seaton Grantland
 Abraham P. Grant
 Hiram Gray
 John K. Griffin
 Elisha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Richard Hawes
 Micajah T. Hawkins
 Charles E. Haynes
 Orrin Holt
 George W. Hopkins
 Benjamin C. Howard
 Edward B. Hubley
 William H. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 Henry Johnson
 Joseph Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kemble

Mr. John Klugensmith, jr.
 Hugh S. Legare
 Dixon H. Lewis
 Arphaxed Loomis
 Francis S. Lyon
 James M. Mason
 Joshua L. Martin
 Abram P. Maury
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 Richard H. Menefee
 William Montgomery
 Ely Moore
 William S. Morgan
 William H. Noble
 John Palmer
 Amasa J. Parker
 Virgil D. Parris
 Lemuel Paynter
 James A. Pearce
 Lancelot Phelps
 Francis W. Pickens
 Arnold Plumer
 John Pope
 Zadock Pratt
 Abraham Rencher
 R. Barnwell Rhett
 Francis E. Rives

Mr. John Robertson
 Samuel T. Sawyer
 Daniel Sheffer
 Augustine H. Shepperd
 Ebenezer J. Shields
 Matthias Shepler
 Adam W. Snyder
 James B. Spencer
 Edward Stanly
 Archibald Stuart
 Henry Swearingen
 William Taylor
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Joseph R. Underwood
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 Joseph Weeks
 John White
 Thomas T. Whittlesey
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 Christopher H. Williams
 Archibald Yell.

The rules being suspended for the purpose, the Speaker laid before the House a report from the Secretary of the Treasury, prepared in obedience to the order of the House of the 29th day of June, 1838, directing him to collect and report to Congress all the information that can be obtained as to the use of steam-engines in the United States, and the accidents and loss of life or property which have attended their use; with all the particulars and details connected with the same.

On motion of Mr. Sergeant,

Ordered, That the said report be referred to a select committee, and that it be printed by the printer to the House, under the superintendence of the Secretary of the Treasury, with authority to make any additions and corrections which may occur to him in the progress of the printing.

And thereupon a committee was appointed, consisting of Mr. Sergeant, Mr. Hamer, Mr. Campbell of South Carolina, Mr. Phelps, Mr. Menefee, Mr. Yell, and Mr. Borden.

Mr. Wise moved that the rules in relation to the order of business be suspended, to enable him to move sundry resolutions; which were read at the Clerk's table, and are in the words following, viz :

Resolved, That Congress has no power to abolish slavery in the District of Columbia, or in the Territories of the United States, whether such power *in said District or Territories be exercised "as a means, or with the view, of disturbing and overthrowing slavery in the States," or not.*

Resolved, That Congress has no power to abolish the slave-trade, or prohibit the removal of slaves between the States, or between the States and the District of Columbia or Territories of the United States, or between the District of Columbia and the Territories of the United States.

Resolved, That Congress cannot receive or consider petitions for the

exercise of any powers whatever over the subject of slavery, which Congress does not possess.

Resolved, That the laws of Congress alone govern in prescribing and regulating the mode and manner in which fugitive slaves shall be apprehended, and their rights to freedom tried, in the non-slaveholding States, District of Columbia, and Territories, and the mode and manner in which they shall be restored or delivered to their owners in the slave States.

Resolved, That Congress has no power to impose upon any State the abolition of slavery within its limits, as a condition of admission into this Union.

Resolved, That the citizens of the slaveholding States of this Union have the constitutional right *voluntarily* to take their slaves to or through a non-slaveholding State, and to sojourn or remain temporarily with such slaves in the same, and the slaves are not thereby *ipso facto* emancipated; and the General Government is constitutionally bound to protect the rights of slaveholders to their slave property in non-slaveholding States; and all laws of non-slaveholding States in conflict with the laws of Congress providing for such protection are null and void.

And on the question, Shall the rules be suspended for the purpose aforesaid?

There appeared, { Yeas, 113,
 { Nays, 96.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
J. Banker Aycrigg
Linn Banks
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
Jesse A. Bynum
William B. Calhoun
John Calhoun
William B. Campbell
William B. Carter
John Chambers
Reuben Chapman
Richard Cheatham
Timothy Childs
Charles D. Coffin
Walter Coles
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
John Dennis
George H. Dunn
Franklin H. Elmore
George Evans
John Ewing
Richard Fletcher
James Garland
Rice Garland
Joshua R. Giddings

Mr. Thomas Glascock
James Graham
Seaton Grantland
William J. Graves
George Grennell, jr.
John K. Griffin
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
Robert M. T. Hunter
Jabez Jackson
Daniel Jenifer
Henry Johnson
William Cost Johnson
John W. Jones
John P. Kennedy
Hugh S. Legare
Dixon H. Lewis
Levi Lincoln
Francis S. Lyon
Francis Mallory
James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
James J. McKay
Abraham McClellan
Richard H. Menefee
Charles F. Mercer
John J. Milligan

Mr. Charles F. Mitchell
Ely Moore
John L. Murray
Charles Naylor
Joseph C. Noyes
Charles Ogle
James A. Pearce
Luther C. Peck
Francis W. Pickens
John Pope
David Potts, jr.
Harvey Putnam
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
Leverett Saltonstall
Samuel T. Sawyer
John Sergeant
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
William Slade
William W. Southgate
Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland
George W. Towns

Mr. John White
Thomas T. Whittlesey
Sherrod Williams

Mr. Joseph L. Williams
Christopher H. Williams
Henry A. Wise

Mr. Thomas J. Word
Archibald Yell.

Those who voted in the negative are—

Mr. John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
George N. Briggs
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
C. C. Cambreleng
Zadok Casey
Henry W. Connor
Thomas Corwin
Robert Craig
Isaac E. Crary
Samuel Cushman
Thomas Davee
Edward Davies
Edmund Deberry
George C. Dromgoole
Alexander Duncan
Horace Everett
James Farrington
John Fairfield
Isaac Fletcher
Millard Fillmore
Henry A. Foster
Jacob Fry, jr.

Mr. Albert Gallup
Patrick G. Goode
William Graham
Abraham P. Grant
Hiram Gray
Elisha Haley
William Halsted
Robert H. Hammond
Thomas L. Hamer
Albert G. Harrison
William Herod
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Arphaxed Loomis
Richard P. Marvin
John P. B. Maxwell
Robert McClellan
Charles McClure
Thomas M. T. McKennan
William Montgomery
William S. Morgan

M. Calvary Morris
William H. Noble
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
Lancelot Phelps
Arnold Plumer
Zadock Pratt
James Rariden
Luther Reily
Francis E. Rives
David Russell
Daniel Sheffer
Matthias Shepler
Mark H. Sibley
Adam W. Snyder
James B. Spencer
Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Joseph Weeks
Albert S. White
Jared W. Williams.

Two-thirds not voting in the affirmative, the question was lost.

On motion of Mr. Kemble, it was

Ordered, That the small drawing illustrative of the plan of national defence contained in the report of the Secretary of War, which accompanies the President's message, be published with the other documents.

A motion was made by Mr. Slade, that the rules, in relation to the order of business, be suspended, to enable him to move a resolution; which was read at the Clerk's table, and is as follows :

Whereas there exists, and is carried on between the ports in the District of Columbia and other ports of the United States, and under the sanction of the laws thereof, a trade in human beings, whereby thousands of them are annually sold and transported from said District to distant parts of the country, in vessels belonging to citizens of the United States : and whereas such trade involves an outrageous violation of human rights, is a disgrace to the country by whose laws it is sanctioned, and calls for the immediate interposition of legislative authority for its suppression :

Therefore, to the end that all obstacles to the consideration of this subject may be removed, and a remedy for the evil speedily provided,

Resolved, That so much of the fifth of the resolutions on the subject of slavery, passed by this House on the 11th and 12th of the present month, as relates to "the removal of slaves from State to State," and prohibits

the action of this House on "every petition, memorial, resolution, proposition, or paper, touching" the same, be, and hereby is, rescinded.

And on the question, Shall the rules be suspended for the purpose aforesaid?

It passed in the negative, { Yeas, 56,
Nays, 147.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
Timothy Childs
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
Edward Curtis
Caleb Cushing
Edward Darlington
Thomas Davee
Edward Davies
George Evans
Horace Everett

Mr. John Ewing
Richard Fletcher
Isaac Fletcher
Millard Fillmore
Joshua R. Giddings
Patrick G. Goode
George Grennell, jr.
Hiland Hall
William Halsted
Alexander Harper
William S. Hastings
Thomas Henry
Levi Lincoln
Samson Mason
Thomas M. T. McKennan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noyes

Mr. Charles Ogle
William Parmenter
Luther C. Peck
David Potts, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Edward Robinson
David Russell
Leverett Saltonstall
John Sergeant
Mark H. Sibley
William Slade
Joseph L. Tillinghast
George W. Toland
Albert S. White.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Ayrigg
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsell
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chambers
John Chaney
Reuben Chapman
Richard Cheatham
William K. Clowney
Walter Coles
Henry W. Connor
Robert Craig
Isaac E. Cray
John W. Crockett
Samuel Cushman

Mr. William C. Dawson
Edmund Deberry
John Dennis
George C. Dromgoole
Alexander Duncan
George H. Dunn
Franklin H. Elmore
John Fairfield
Henry A. Foster
Jacob Fry, jr.
James Garland
Rice Garland
Thomas Glascock
James Graham
William Graham
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson

Mr. Daniel Jenifer
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingsmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Richard H. Menefee
Charles F. Mercer
John J. Milligan
William Montgomery
Ely Moore
William S. Morgan
William H. Noble
John Palmer
Amasa J. Parker

Mr. Virgil D. Parris
Lemuel Paynter
James A. Pearce
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
John Pope
Zadock Pratt
Luther Reily
Abraham Rencher
R. Barnwell Rhett
Francis E. Rives
John Robertson
Edward Rumsey
Samuel T. Sawyer

Mr. Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Shepler
William W. Southgate
James B. Spencer
Edward Stanly
Archibald Stuart
William Stone
Henry Swearingen
John Taliaferro
William Taylor
Francis Thomas
Waddy Thompson, jr.
Obadiah Titus

Mr. Isaac Toucey
George W. Towns
Hopkins I. Turney
David D. Wagener
Taylor Webster
John White
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Archibald Yell
Thomas Jones Yorke.

Mr. Cambreleng, from the Committee of Ways and Means, by leave, reported a bill (No. 891) making appropriations, in part, for the support of Government for the years 1898 and 1899; which bill was read a first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Calhoun, of Kentucky, moved that the rules in relation to the order of business be suspended, to enable him to move a resolution; which was read at the Clerk's table, and is in the words following, viz:

Resolved, That the Committee on the Judiciary be instructed to report a bill making it unlawful for any person to aid fugitive slaves in escaping from their owners, and providing for the punishment in the courts of the United States of all persons who may be guilty of such offence.

And that they be further instructed to report a bill making it unlawful for any person in the non-slaveholding States of this Union to use any means to induce slaves from their owners, and providing for the punishment, in the courts of the United States, of all persons who may be found guilty of such offence.

And on the question, Shall the rules be suspended for the purpose aforesaid?

It passed in the negative,	{ Yeas,	90,
	{ Nays,	107.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Linn Banks
Andrew Beirne
John Bell
James W. Bouldin
Jesse A. Bynum
John Calhoun
John Campbell
William B. Carter
John Chambers
Reuben Chapman
Richard Cheatham
William K. Clowney
Charles D. Coffin
Walter Coles
Henry W. Connor
Robert Craig
John W. Crockett
Edward Curtis
William C. Dawson
Edmund Deberry
John Dennis

Mr. George C. Dromgoole
Franklin H. Elmore
James Garland
Rice Garland
Joshua R. Giddings
Thomas Glascock
James Graham
Seaton Grantland
William J. Graves
Hiram Gray
John K. Griffin
James Harlan
Alexander Harper
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
George W. Hopkins
Benjamin C. Howard
Robert M. T. Hunter
Jabez Jackson
Daniel Jenifer

Mr. Henry Johnson
Joseph Johnson
Nathaniel Jones
John W. Jones
Gouverneur Kemble
John P. Kennedy
Dixon H. Lewis
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
Abram P. Maury
William L. May
James J. McKay
Abraham McClellan
Richard H. Menefee
William Montgomery
William S. Morgan
John L. Murray
John Palmer
Amasa J. Parker

Mr. James A. Pearce
John Pepe
Abraham Rencher
Francis E. Rives
John Robertson
Edward Rumsey
John Sergeant
Augustine H. Shepperd
Charles Shepard

Mr. Ebenezer J. Shields
William W. Southgate
James B. Spencer
Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
George W. Towns
Hopkins L. Turney

Mr. Joseph R. Underwood
John White
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Archibald Yell
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Aycrigg
William Beatty
Bennet Bicknell
Richard Biddle
Samuel Birdsall
William Key Bond
Nathaniel B. Borden
George N. Briggs
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
C. C. Cambreleng
Zadok Casey
John Chaney
Timothy Childs
John C. Clark
Robert B. Cranston
Caleb Cushing
Samuel Cushman
Edward Darlington
Thomas Davee
Edward Davies
Alexander Duncan
George H. Dunn
John Edwards
George Evans
Horace Everett
James Farrington
John Fairfield

Mr. Richard Fletcher
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
Patrick G. Goode
William Graham
Abraham P. Grant
George Grennell, jr.
Elisha Haley
Hiland Hall
William Halsted
Robert H. Hammond
Thomas L. Hamer
Thomas Henry
William Herod
Orrin Holt
Edward B. Hubley
William H. Hunter
Thomas B. Jackson
George M. Keim
John Klingensmith, jr.
Daniel P. Leadbetter
Levi Lincoln
Arphaxed Loomis
Richard P. Marvin
Samson Mason
John P. B. Maxwell
Robert McClellan
Charles McClure
Thomas M. T. McKennan
John J. Milligan
Charles F. Mitchell
Ely Moore
Calvary Morris
Charles Naylor
William H. Noble

Mr. Joseph C. Noyes
Charles Ogle
William Parmenter
Virgil D. Parris
Lemuel Paynter
Luther C. Peck
Lancelot Phelps
Arnold Plummer
David Potts, jr.
Zadock Pratt
James Rariden
John Reed
Luther Reily
Joseph Ridgway
Edward Robinson
David Russell
Leverett Saltonstall
Daniel Sheffer
Matthias Shepler
Mark H. Sibley
William Slade
Francis O. J. Smith
Adam W. Snyder
Henry Swearingen
William Taylor
Francis Thomas
Joseph L. Tillinghast
George W. Toland
Isaac Toucey
Abraham Vandervoer
David D. Wagener
Taylor Webster
Albert S. White
Thomas T. Whittlesey
Jared W. Williams.

A motion was made by Mr. Grennell, that the House do now proceed to the election of a chaplain to Congress, on its part, in pursuance of the concurrent resolution for the appointment of chaplains; which motion being agreed to,

The House proceeded to vote for a chaplain accordingly; and the first vote being taken, it resulted as follows, viz:

The following-named members voted for the Rev. *Levi R. Reese*:

Messrs. James Alexander, jr., J. Banker Aycrigg, William Beatty, Bennet Bicknell, George N. Briggs, John C. Brodhead, John Calhoun, William B. Campbell, William B. Carter, Zadok Casey, John Chambers, John Chaney, Reuben Chapman, Richard Cheatham, Charles D. Coffin, Robert Craig, Robert B. Cranston, John W. Crockett, Caleb Cushing, William C. Dawson, Thomas Davee, Edmund Deberry, John Dennis, Alexander Duncan, George H. Dunn, John Edwards, Franklin H. Elmore, John Ewing, Isaac Fletcher, Rice Garland, Thomas Glascock, Patrick G. Goode

James Graham, William Graham, Seaton Grantland, George Grennell, jr., John K. Griffin, William Halsted, Robert H. Hammond, Thomas L. Hammer, James Harlan, Alexander Harper, Richard Hawes, Charles E. Haynes, William Herod, George W. Hopkins, Benjamin C. Howard, William H. Hunter, Samuel Ingham, Thomas B. Jackson, Jabez Jackson, Daniel Jenifer, Henry Johnson, Daniel P. Leadbetter, Francis S. Lyon, Samson Mason, Abram P. Maury, William L. May, John P. B. Maxwell, William S. Morgan, Calvary Morris, John L. Murray, Charles Naylor, Charles Ogle, John Pope, David Potts, jr., Zadock Pratt, Harvey Putnam, James Rariden, Joseph F. Randolph, Joseph Ridgway, Edward Rumsey, Daniel Sheffer, Augustine H. Shepperd, Ebenezer J. Shields, Matthias Sheplor, William Slade, Francis O. J. Smith, William W. Southgate, James B. Spencer, Edward Stanly, Archibald Stuart, William Stone, Charles C. Stratton, Henry Swearingen, John Taliaferro, Waddy Thompson, jr., George W. Toland, Isaac Toucey, Joseph R. Underwood, Abraham Vanderveer, Albert S. White, John White, Thomas T. Whittlesey, Sherrod Williams, Jared W. Williams, Joseph L. Williams, Christopher H. Williams, Henry A. Wise, Thomas J. Word.

The following-named members voted for the Rev. *E. C. Hutchinson* :

Messrs. Linn Banks, Andrew Beirne, James W. Bouldin, Jesse A. Bynum, Walter Coles, Henry W. Connor, George C. Dromgoole, Joshua R. Giddings, Micajah T. Hawkins, Robert M. T. Hunter, Joseph Johnson, John W. Jones, Francis Mallory, James M. Mason, James J. McKay, Abraham McClellan, John J. Milligan, James A. Pearce, Francis W. Pickens, Abraham Rencher, Francis E. Rives, Francis Thomas, George W. Towns, Hopkins L. Turney, and Archibald Yell.

The following-named members voted for the Rev. *Stephen G. Bulfinch* :

Messrs. Heman Allen, Hugh J. Anderson, Charles G. Atherton, Nathaniel B. Borden, Samuel Cushman, George Evans, Horace Everett, James Farrington, John Fairfield, Richard Fletcher, Millard Fillmore, Highland Hall, William S. Hastings, Levi Lincoln, Arphaxed Loomis, Joshua L. Martin, Joseph C. Noyes, Amasa J. Parker, William Parmenter, Virgil D. Parris, Luther C. Peck, John Reed, Edward Robinson, Leverett Saltonstall, and Adam W. Snyder.

The following-named members voted for the Rev. *Amzi Babbitt* :

Messrs. Richard Biddle, Andrew Buchanan, John C. Clark, Edward Davies, Jacob Fry, jr., Hiram Gray, Edward B. Hubley, George M. Keim, John Klingensmith, jr., Charles McClure, Lemuel Paynter, John Sergeant, David E. Wagener, and Thomas Jones Yorke.

The following-named members voted for the Rev. *Septimus Tustin* :

Messrs. John Bell, Isaac H. Bronson, C. C. Cambreleng, John Campbell, William K. Clowney, Thomas Corwin, Albert G. Harrison, Thomas Henry, Gouverneur Kemble, John P. Kennedy, Thomas M. T. McKennan, Richard H. Menefee, Charles F. Mercer, and Arnold Plumer.

The following-named members voted for the Rev. *Mr. Fowler* :

Messrs. John Quincy Adams, John W. Allen, William B. Calhoun, Edward Curtis, Albert Gallup, James Garland, Richard P. Marvin, Robert McClellan, David Russell, Mark H. Sibley, and Henry Vail.

The following-named members voted for the Rev. *John Owen* :

Messrs. John T. Andrews, Cyrus Beers, William Key Bond, Isaac E. Crary, Abraham P. Grant, William H. Noble, Lancelot Phelps, William Taylor, and Joseph L. Tillinghast.

Recapitulation of the vote for chaplain.

For the Reverend Levi R. Reese	-	-	-	100	votes.
For the Reverend E. C. Hutchinson	-	-	-	25	"
For the Reverend Stephen G. Bulfinch	-	-	-	25	"
For the Reverend Amzi Babbitt	-	-	-	14	"
For the Reverend Septimus Tustin	-	-	-	14	"
For the Reverend Mr. Fowler	-	-	-	11	"
For the Reverend John Owen	-	-	-	9	"
					<hr/>
Whole number of votes given in	-	-	-	198	
Necessary to a choice	-	-	-	100	

And the Reverend Levi R. Reese having obtained a majority of the whole number of votes given, was declared to be duly elected chaplain to Congress, on the part of this House, for the present session.

Ordered, That the Clerk acquaint the Senate therewith.

The Speaker laid before the House the following communications, viz :

I. A report from the Secretary of the Navy, in relation to the employment of clerks, as well as the expense incurred in answering calls of this House on the Navy Department, at the last session of Congress, for information ; furnished in obedience to the order of the House of the 9th July, 1838 ; which report was read, and ordered to lie on the table.

II. A letter from the Secretary of the Navy, transmitting statements of the expenditures on account of the contingent expenses of the offices of the Secretary of the Navy and of the Commissioners of the Navy, for the year ending September 30, 1838 ; which letter and statements were laid on the table.

III. A letter from the Secretary of the Treasury, transmitting a communication from the Fifth Auditor of the Treasury, accompanied by documents and reports, setting forth what has been done under the act of the 7th July last, entitled "An act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and making surveys for the year 1838 ;" which letter and communication were laid on the table.

And then, at three-quarters past two o'clock, the House adjourned until to-morrow, twelve o'clock meridian.

FRIDAY, DECEMBER 14, 1838.

Another member, viz : from the State of Georgia, Jesse F. Cleveland, appeared, and took his seat.

The rule being suspended for the purpose,

Mr. Cushman moved the following resolution, viz :

Resolved, That no committee of this House shall be permitted to employ a clerk, at the public expense, without first obtaining leave of the House for that purpose.

The resolution being read, it was agreed to by the House.

The House, by consent, resolved itself into the Committee of the Whole House on the state of the Union ; and, after some time spent therein, the Speaker resumed the chair, and Mr. Howard reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 891) making appropriations, in

part, for the support of Government for the years 1838 and 1839; which bill he was directed to report to the House without amendment.

Ordered, That the said bill be engrossed, and read the third time to-day.

The Speaker laid before the House a letter from the Secretary of War, transmitting the annual report of the Commissioner of Pensions, under the joint resolution of the 29th of May, 1830, in relation to rejected applications for pensions; which letter and report were laid on the table.

On motion of Mr. Chambers,

Resolved, That the Committee of Claims be authorized to employ a clerk.

Mr. Cushing gave notice that he would, on Monday next, the 17th instant, move for leave to introduce a bill to provide for the protection of the citizens of the United States residing in the Oregon territory, or trading on the Columbia river, or its tributaries.

Mr. Atherton presented a petition of inhabitants of Dover, in the State of New Hampshire, praying for an appropriation for the improvement of the Cocheco branch of the Piscataqua river, in said State; which petition was referred to the Committee of Ways and Means.

Mr. Farrington presented a petition of David Corson, of the county of Strafford, in the State of New Hampshire, a soldier of the Revolution, praying for an increase of his pension; which petition was referred to the Committee on Revolutionary Pensions.

Mr. Cushing presented a memorial of Harriet De la Palm Baker, heir of Colonel Frederick H. Weissenfels, an officer of the revolutionary war, praying compensation for the sacrifices of her ancestor during said war: which memorial was referred to the Committee on Revolutionary Claims.

Mr. Calhoun, of Massachusetts, presented the petition of Samuel Butler, heretofore presented, December 29, 1837; which was referred to the Committee on Invalid Pensions.

Mr. Calhoun, of Massachusetts, presented a petition of Elias Carpenter, of Sturbridge, in the State of Massachusetts, an invalid soldier of the war of 1812 with Great Britain, praying for arrearages of a pension; which petition was referred to the Committee on Invalid Pensions.

Mr. Calhoun, of Massachusetts, presented a petition of James Taylor, of Southwick, in the State of Massachusetts, an invalid pensioner, praying for arrears of his pension.

Mr. Calhoun, of Massachusetts, presented a petition of Elisha Deming, an invalid soldier of the war of 1812 with Great Britain, praying for an increase of his pension.

Ordered, That the said two petitions be referred to the Committee on Invalid Pensions.

On motion of Mr. Cushing,

Ordered, That the petitions, resolutions, and other papers on the subject of the commercial intercourse between the United States and the foreign colonies of Great Britain, not finally acted upon at the last session, be taken from the files, and recommitted to the Committee on Foreign Affairs.

On motion of Mr. Cushing,

Ordered, That the resolutions and other papers on the subject of the Territory of Oregon, not finally acted upon at the last session, be taken from the files, and recommitted to the Committee on Foreign Affairs.

Petitions for the abolition of slavery and the slave trade in the District

of Columbia ; for the abolition of the slave trade in the States ; and against the annexation of any new State to the Union of these States, whose constitution shall tolerate slavery, were presented by Mr. Calhoun, of Massachusetts, viz :

From ladies of South Hadley, in the State of Massachusetts ;

From sundry male citizens of South Hadley, in the State of Massachusetts ;

From sundry citizens of Southampton, in the county of Hampshire, in the State of Massachusetts ;

From sundry citizens of South Wilbraham, in the county of Hampden, in the State of Massachusetts ;

From sundry women of North Brookfield, in the State of Massachusetts.

Mr. Wise objected to receiving these petitions.

The Speaker decided that the said petitions were embraced by the order of the House of the 12th instant, which provided "that every petition, memorial, resolution, proposition, or paper, touching or relating, in any way, or to any extent whatever, to slavery, as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table, without being debated, printed, or referred ;" and that, on the "presentation" of said petitions, the preliminary question that they be received cannot, under the said order of the 12th instant, be entertained ; but that, "upon presentation thereof," under the said order, the said petitions would lie on the table.

From this decision Mr. Wise took an appeal to the House.

And, after debate,

The previous question was moved by Mr. Tayler ; and, being demanded by a majority of the members present,

The said previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative.

The said main question was then put, viz : Shall the decision of the Chair stand as the judgment of the House ?

And passed in the affirmative, { Yeas, 186,
Nays, 6

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Ayer
Linn Banks
William Beatty
Cyrus Beers
Andrew Betrne
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsall
William Key Bond
James W. Bouldin
George N. Briggs
John C. Brodhead
Isaac H. Bronson

Mr. Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
Zadok Casey
John Chaney
Reuben Chapman
Richard Cheatham
John C. Clark
Jesse F. Cleveland
William K. Clowney
Charles D. Coffin
Walter Coles
Henry W. Conner
Thomas Corwin
Robert Craig

Mr. Isaac E. Crary
Robert B. Cranston
Edward Curtis
Caleb Cushing
Samuel Cushman
Edward Dartington
William C. Dawson
Thomas Daves
Edward Davies
Edmund Deberry
John I. De Graff
George C. Dromgool
George H. Dunn
Franklin H. Elmore
George Evans
Horace Everett
James Farrington
John Fairfield

Mr. Isaac Fletcher
 Millard Fillmore
 Henry A. Foster
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 Joshua R. Giddings
 Thomas Glascock
 Patrick G. Goode
 James Graham
 William Graham
 Seaton Grantland
 Abraham P. Grant
 Hiram Gray
 George Grennell, jr.
 John K. Griffin
 Eliza Haley
 William Halsted
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Alexander Harper
 Richard Hawes
 Micajah T. Hawkins
 Charles E. Haynes
 Thomas Henry
 William Herod
 Orrin Holt
 George W. Hopkins
 Benjamin C. Howard
 Edward B. Hubley
 William H. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 Henry Johnson
 Joseph Johnson
 William Cost Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kemble
 John P. Kennedy
 John Klingensmith, jr.

Mr. Hugh S. Legare
 Daniel P. Leadbetter
 Dixon H. Lewis
 Levi Lincoln
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 Richard P. Marvin
 James M. Mason
 Samson Mason
 Joshua L. Martin
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 Thos. M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 Calvary Morris
 John L. Murray
 Charles Naylor
 William H. Noble
 Joseph C. Noyes
 Charles Ogle
 Amasa J. Parker
 William Parmester
 Virgil D. Parris
 Lemuel Paynter
 James A. Pearce
 Luther C. Peck
 Lancelot Phelps
 Francis W. Pickens
 Arnold Plumer
 David Potts, jr.
 Zadock Pratt
 Harvey Putnam

Mr. Joseph F. Randolph
 John Reed
 Luther Reily
 R. Barnwell Rhett
 Joseph Ridgway
 Francis E. Rives
 John Robertson
 Edward Robinson
 David Russell
 Samuel T. Sawyer
 Daniel Sheffer
 Augustine H. Shepperd
 Charles Shepard
 Ebenezer J. Shields
 Matthias Shepler
 Mark H. Sibley
 Adam W. Snyder
 William W. Southgate
 James B. Spencer
 Archibald Stuart
 William Stone
 Charles C. Stratton
 Henry Swearingen
 John Taliaferro
 William Taylor
 Francis Thomas
 Joseph L. Tillinghast
 Obadiah Titus
 George W. Toland
 Isaac Toucey
 Hopkins L. Turney
 Joseph R. Underwood
 Henry Vail
 Abraham Vanderveer
 David D. Wager
 Taylor Webster
 Albert S. White
 John White
 Thomas T. Whittlesey
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 Archibald Yell
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. William B. Carter
 John Chambers

Mr. John W. Crockett
 John Pope

Mr. Christopher H. Williams
 Thomas J. Word.

In calling the yeas and nays on this question, Mr. John Quincy Adams and Mr. Wise refused to vote.

On motion of Mr. Taylor, it was

Ordered, That when the House shall adjourn to-day, it will adjourn to meet again on Monday next.

Mr. Mercer moved the following resolution, viz :

Resolved, That all petitions and memorials presented to this House at the last session of Congress, and referred to the several standing committees, on which no report was made, or in relation to which bills were reported which were lost in either House, may be again referred to the same committees, at the pleasure of the members by whom they were respectively presented, on being handed, or a list thereof presented, to the Clerk.

Mr. Turney moved to amend said resolution by inserting therein, after the word "*memorials*," the words "*resolutions and papers*," which motion was disagreed to.

A motion was made by Mr. Loomis, to amend said resolution, by inserting therein, after the words "either House," the words "for want of action thereon." This motion was also disagreed to.

A motion was made by Mr. Harlan, that the said resolution do lie on the table.

And the question being put,

It passed in the negative.

The question was then put, that the House do agree to the resolution;

And passed in the affirmative.

Under the general order of this day, the petitions of the undermentioned persons were referred to the Committee on Revolutionary Claims, viz :

By Mr. Taliaferro :

The petition of the heirs of John Barnes.

The petition of the heirs of Captain Thomas Morris.

The petition of Martha Woodliff, representative of Francis Eppes.

The petition of the heirs of James Conway.

The petition of the heirs of Captain Thomas Cooke.

The petition of the heirs of Colonel Francis Vigo.

The petition of the heirs of Doctor Charles Taylor.

The petition of the heirs of Edward Wade.

The petition of John Peebles.

The petition of the heirs of Captain James Purvis.

The petition of the heirs of Stephen Porter.

The petition of Jesse Potts.

The petition of the heirs of Captain William Gregory.

The petition of Doctor Jonathan Knight.

The petition of Laurent Bazadore.

The petition of Robert Staynor.

The petition of Abijah Cheever.

The petition of the heirs of Lieutenant Jonathan Dye.

The petition of Charles W. Dabney.

The petition of the heirs of Doctor John Julian.

The petition of Richard Paulett.

The petition of the heirs of William Langbourne.

The petition of the heirs of Benjamin Harrison.

The petition of the heirs of Lieutenant Colonel Uriah Forrest.

The petition of the heirs of Joel Hardaway.

The petition of the heirs of Thomas Wishart.

The petition of the representatives of Presley Thornton.

The petition of the representatives of Alexander Dick.

The petition of the heirs of Garland Burnley.

The petition of the heirs of Lieut. Colonel William Fontaine.

The petition of Hugh M. Pettus, heir of Samuel O. Pettus, deceased.

The petition of Henry Hoffman.

The petition of the representatives of Lathrop Allen.

The petition of the heirs of Josiah Hadon.

The petition of the heirs of Nathan Faris.

The petition of the heirs of Patrick Coyle.

By Mr. Taliaferro :—

The petition of Churchill Gibbs.

The petition of the representatives of James Burton.

The petition of the representatives of Rufus Barton.

By Mr. Briggs : The petition of the heirs of Gilbert Dench.

By Mr. Hastings : The petition of Harvy Whiting, heir of Captain Lewis Whiting.

By Mr. Hawes : The petition of the heirs of Captain Nathan Lamme.

By Mr. Robertson :—

The petition of Captain John Winston's representatives.

The petition of the heirs of Daniel Truehart.

By Mr. Tillinghast : The petition of Ephraim Bowen.

By Mr. James Garland :—

The petition of the heirs of Captain Tarpley White.

The petition of the heirs of John Goodall.

The petition of the heirs of Lieutenant William Lewis.

The petition of the representatives of John Marks.

The petition of the executors of James Dillard.

By Mr. Hawes :—

The petition of John McDowel.

The petition of the heirs of John Robertson.

By Mr. Mercer :—

The petition of Edwin C. Brown, representative of Captain James Crane.

The petition of the representatives of Charles M. Thruston.

The petition of the heirs of Robert Faunderoy.

The petition of the heirs of Jonathan Snowden.

The petition of the heirs of Burges Ball.

The petition of Ann Blackwell, late Ann Hull, widow of Edwin Hull.

By Mr. Bouldin :—

The petition of the heirs of Wood Jones.

The petition of the heirs of Tarlton Woodson.

The petition of Charles Woodson, representative of Tarlton Woodson.

By Mr. Everett : The petition of the widow and heirs of Phinehas Parkhurst.

By Mr. Marvin : The petition of Isaac Van Camp.

By Mr. A. H. Shepperd : The petition of the heirs of Nick, alias Regnald Hillary.

By Mr. Jones, of Virginia : The petition of the representatives of Samuel Jones.

By Mr. Carter : The petition of Rebecca Brown, representative of Captain George Daniel McMahan.

By Mr. Garland, of Virginia : Two affidavits in the case of John Piper.

By Mr. Cambreleng : The petition of Janette Taylor et al., representatives of John Paul Jones.

By Mr. Dromgoole : The petition of heirs of Francis Eppes.

By Mr. Maxwell : The petition of George Townley.

By Mr. Worthington : The petition of the heirs of Alexander Lawson Smith.

- By Mr. Banks : The case of the heirs of Colonel Francis Taylor.
- By Mr. Ridgway : The petition of the heirs of William B. Gould, son of Doctor David Gould.
- By Mr. Mallory :—
The petition of Sarah Ingram, widow of Captain Lemuel Thorowgood.
The petition of William Goodwin, representative of Banester Howe.
The petition of the heirs of James Marshall.
The petition of Elizabeth Peirce, widow of Stephen Peirce, deceased.
The petition of William W. Scott.
- By Mr. Mercer : The petition of the heirs of Apollos Cooper.
- By Mr. Ridgway : The petition of the heirs of John Stephenson.
- Under the general order of this day, the petitions of the undermentioned persons were referred to the Committee of Claims, as follows, viz :
- By Mr. Allen, of Vermont : The petition of Charles Benna.
- By Mr. Bronson :—
The petition of John Howe.
The petition of Chauncey Calhoon.
- By Mr. Goode : The petition of James and David Wilkinson.
- By Mr. Rariden :—
The petition of the widow of Hubert Lacroix.
The petition of Benjamin Sayre.
- By Mr. Fillmore :—
The petition of Lieutenant Frederick Richmond.
The petition of Henry Hill.
The petition of Orange H. Dibble.
The petition of Parthenia Beard, assignee of David Beard.
- By Mr. Tillinghast : The petition of David Bartlett.
- By Mr. Robertson : The petition of Nimrod Farrow and Richard Harris.
- By Mr. Mercer : The petition of Thomas Rogers, executor of Charles Binns.
- By Mr. Taliaferro : The petition of the executors of James Roddy.
- By Mr. Grennell : The petition of John Underwood.
- By Mr. Naylor : The petition of the heirs of Robert Fulton.
- By Mr. Johnson, of Virginia : The petition of George Gall.
- By Mr. De Graff :—
The petition of Moses E. Levy.
The petition of William D. Cheever.
The petition of William Crooks and James Crooks.
- By Mr. Carter : The case of the East Tennessee volunteers, for compensation for services in 1836.
- By Mr. Howard : The petition of the executors of John Donnell.
- By Mr. Parmenter :—
The petition of Captain John Downes, (presented heretofore December 12, 1837.)
Another petition of Captain John Downes.
- By Mr. Kennedy : The petition of Betty H. Beard and James Gray.
- By Mr. McKennan : The petition of John Laub.
- By Mr. Kennedy : The petition of Philip Maxwell.
- By Mr. Haynes : The petition of John McKinne, [McKenna.]
- By Mr. Herod : The petition of John Harmon and William Harmon.

By Mr. Palmer : The petition of the representatives of John Addoms.

By Mr. Pratt : The petition of Alexander Humphrey.

By Mr. Allen, of Vermont : The petition of Samuel Holgate.

By Mr. Mallory : The petition of the representatives of Bolitha Laws.

By Mr. Williams, of North Carolina : The petition of James F. Halliday, administrator of Thomas Halliday.

By Mr. Southgate : The petition of Ransom Eastin and Sarah A. Eastin, representatives of Captain R. D. Richardson, deceased.

By Mr. Allen, of Ohio : The petition of George B. De Peyster.

By Mr. Johnson, of Maryland : The petition of the executors of Robert Sewall.

By Mr. Graham, of North Carolina : The petition of Henry Grady.

By Mr. Downing :—

The petition of Sarah P. Anderson.

The petition of Elias Waller.

The petition of William H. Williams.

The petition of Alexander Watson.

The petition of John and Nathaniel Hamlin.

By Mr. White, of Indiana : The petition of David Powers.

Under the general order of this day, the petitions of the undermentioned persons were referred to the Committee on Revolutionary Pensions, as follows, viz :

By Mr. Taliaferro :—

The petition of John England.

The petition of James Deatly.

The petition of Hugh Davis.

The petition of Catharine Allen, widow of Henry Allen.

The petition of Elizabeth Jones and others.

The petition of William Pattie.

The petition of John H. Fallen.

By Mr. Banks : The petition of Barbara Forbes, widow of William Forbes.

By Mr. Briggs :—

The petition of Elizabeth Durant, widow of Thomas Durant.

The petition of Anna Mitchell, widow of Reuben Mitchell.

By Mr. Williams, of Kentucky :—

The petition of Jacob Baugh.

The petition of Solomon Prewett.

By Mr. Slade :—

The petition of Milton Potter.

The petition of David Frelove.

The petition of Calvin Goodno.

By Mr. Klingensmith : The petition of Jacob Grist.

By Mr. Mercer : The petition of Reuben Murray.

By Mr. Giddings : The petition of Nathan and Sibil Strong, in behalf of Sibil Barnes.

By Mr. Bouldin :—

The petition of William Anglea.

The petition of Thomas Harvey.

By Mr. Whittlesey : The petition of Ichabod Beardsly.

By Mr. Brodhead : The petition of Elnathan Sears.

By Mr. Johnson, of Virginia :—

The petition of John Davis.

The petition of John Lathram.

The petition of William Ford.

The petition of Susannah Roe.

The petition of John Cottrill.

The petition of Alexander Gillis.

The petition of Elizabeth French, widow of Cummael French.

By Mr. Howard :—

The petition of Elizabeth Jones, widow of Jason Jones.

The petition of Elizabeth Gassaway, widow of John Gassaway.

By Mr. Parker : The petition of Martha Strong, widow of John Strong.

By Mr. Borden : The petition of Oliver Peck.

By Mr. Shields : The petition of William Smith.

By Mr. Taylor :—

The petition of Benjamin Dupey and others.

The petition of Samuel Hutchinson.

By Mr. Howard : The petition of the heirs of John Sprigg Belt.

By Mr. Rencher :—

The petition of John Beck.

The petition of Elijah Foochee.

The petition of William Lomax.

The petition of Jacob Miller.

The petition of Peter Hedrick.

By Mr. Beirne :—

The petition of William Neel.

The petition of Henry Ethell, (a communication only.)

The petition of John Smith.

The petition of Samuel Hatton.

The petition of George Harman.

By Mr. Jones, of New York :—

The petition of Leonard Smith.

The petition of William A. Cuddeback.

By Mr. Mercer : The petition of James B. Rice.

By Mr. Sibley : The petition of Susannah Hoagland.

By Mr. Mallory : The petition of John Cammack.

By Mr. Evans : The petition of Colonel William Lawrence.

By Mr. Plumer :—

The petition of Clark Lawrence.

The petition of Stephen Olney.

By Mr. Parker :—

The petition of William Andrews.

The petition of Eleazer Allen.

By Mr. McClellan, of New York :—

The petition of Helen Miller, widow of Philip P. Clumm.

The petition of David Mellen.

Under the general order of this day, the petitions of the undermentioned persons were referred to the Committee on Invalid Pensions, as follows, viz :

By Mr. Plumer :—

The petition of Isaac Boyd.

The petition of James Fleming.

By Mr. Noyes : The petition of William Poole.

By Mr. Palmer : The petition of Levi M. Roberts.

By Mr. White, of Indiana : The petition of Madison Collins.

By Mr. Slade :—

The petition of Gideon Sheldon.

The petition of Harvey Reynolds.

The petition of Eliphalet Spafford.

The petition of John H. Lincoln.

By Mr. Bronson : The petition of William Butterfield.

By Mr. Williams, of Kentucky : The petition of Fielding Pratt.

By Mr. Aycrigg :—

The petition of Thomas Baker.

The petition of Moses Smith.

The petition of the widow of William H. Addison.

The petition of John McCarty.

The petition of Isaac W. Taylor.

The petition of William White.

The petition of Nimrod Sparks.

The petition of Stephen Morrill.

The petition of Rufus Parker.

The petition of James Singleton.

The petition of Benjamin Wood.

The petition of John Hibbert.

The petition of Richard Reynolds.

The petition of Betsey Warner.

The petition of Burnet Burdsall.

The petition of Jacob Brindle.

The petition of James Frazier.

By Mr. Robertson : The petition of Isaiah Parker.

By Mr. Mercer : The petition of Barton Hooper.

By Mr. Giddings : The petition of Ephraim Shaler.

By Mr. McClellan, of New York : The petition of Nathaniel Davis.

By Mr. Stuart : The petition of William Wingfield.

By Mr. Evans : The petition of David Rollins.

By Mr. Johnson, of Virginia :—

The petition of Neil Shannon.

The petition of Captain John Patton.

The petition of John Thompson.

By Mr. Jones, of Virginia : The petition of John F. Wiley.

By Mr. Carter :—

The petition of Thomas Collins.

The petition of Isaac Justis.

The petition of Joseph M. Rhea.

The petition of Jacob Hendrick, James Simmons, David McNair,
and others.

By Mr. Brodhead : The petition of James Ivory.

By Mr. Pratt : The petition of James Freyer.

By Mr. Howard : The petition of Leonard Joiner.

By Mr. Underwood :—

The petition of Anthony Long.

The petition of Samuel M. Asbury.

By Mr. Kennedy : The petition of Samuel B. Hugo.

By Mr. Mason, of Virginia : The petition of Hugh McDonald.

By Mr. Worthington: The petition of David R. Whiteley.

By Mr. Taylor:

The petition of Doctor Sylvester Nash.

The petition of Daniel Pratt.

By Mr. Toucey :—

The petition of Elijah Blodget.

The petition of Stephen Appleby.

By Mr. Kennedy: The petition of Richard Hall.

By Mr. Palmer :—

The petition of Levi M. Roberts.

The petition of Robert Whitlett.

By Mr. Allen, of Vermont :—

The petition of Myron Chapin.

The petition of Wright Hurlbut.

The petition of Jared Winslow.

By Mr. Fillmore: The petition of John E. Wright.

Under the general order of this day, the petitions of the undermentioned persons were referred to the Committee on Roads and Canals:

By Mr. Mercer: The petition of Lewis Carberry, T. H. Cloud, and others, proprietors of certain lands bordering on the Chesapeake and Ohio canal, within the District of Columbia.

By Mr. Mercer: The petition of the president and directors of the Fal-mouth and Alexandria Railroad Company.

By Mr. Mercer: The petitions of inhabitants of Pennsylvania, Maryland, and Virginia, praying the aid of the General Government towards the construction of the western section of the Ohio and Chesapeake canal.

By Mr. Marvin: Petitions for the improvement of Allegany river from Pittsburg to Olean.

By Mr. Downing: The petition of inhabitants of Florida, for a canal from St. John's to Saint Sebastian's.

By Mr. Downing: The petition of "the Lake Winico and St. Joseph Canal and Railroad Company."

By Mr. White, of Indiana: A resolution of the General Assembly of the State of Indiana, for the survey of a harbor at Indiana city:

Under the general order of this day—

Mr. Downing presented the petition of William Steele; which was referred to the Committee on Private Land Claims: also,

The petition of Colonel James Gadsden, for a railroad from the Atlantic to the Gulf of Mexico; which was referred to the Committee on the Post Office and Post Roads.

Mr. Hoffman presented the petition of Patrick Green; which was referred to the Committee on the Post Office and Post Roads.

Mr. Mercer presented the memorial of Thomas Ap Catesby Jones; which was referred to the Committee on Naval Affairs: also,

The petition of Joseph Harris and William Lanphier; which was referred to the Committee of Ways and Means.

Mr. Mason, of Virginia, presented the petition of John Delgarn; which was referred to the Committee on Military Affairs.

Mr. Taliaferro presented the petition of the heirs of Doctor Lawrence Brooke; which was referred to the Committee on Foreign Affairs.

Mr. Russell presented the petition of Abraham Wright; which was referred to the Committee on Private Land Claims.

Mr. Slade presented the petition of Joel Beaman; which was referred to the Committee on the Post Office and Post Roads.

Mr. Bronson presented the petitions of inhabitants of the State of New York, praying for the construction of a harbor at the mouth of Big Sandy creek; which petitions were referred to the Committee on Commerce.

Mr. Bouldin presented the petition of John R. Cooke; which was referred to the Committee on the Post Office and Post Roads.

Mr. Mercer presented the petition of citizens of Fairfax county, in the State of Virginia, for a gravel-road; which was referred to the Committee for the District of Columbia.

Mr. Henry presented the petition of citizens of Beaver county, Pennsylvania, for a national armory at the falls of Beaver river; which was referred to the Committee on Military Affairs.

Mr. Marvin presented petitions of inhabitants of New York, for the improvement of Silver-creek harbor, in the State of New York;

Also, petitions of inhabitants of New York, for the improvement of Van Buren harbor, in the State of New York.

Ordered, That the said petitions be referred to the Committee on Commerce.

Mr. McClellan, of New York, presented the petition of James Barron; Also the petition of the widow of Lieutenant Colonel John M. Gamble.

Ordered, That the said petitions be referred to the Committee on Naval Affairs.

Mr. Harrison presented petitions of inhabitants of Missouri for the establishment of a new land district south of the Missouri river, in the State of Missouri; which were referred to the Committee on the Public Lands.

Mr. Carter presented the case of the heirs of General Nathaniel Taylor; which was referred to the Committee on Indian Affairs.

Mr. Howard presented the case of John McColgan; which was referred to the Committee on Commerce.

Mr. Howard presented the case of Joseph Clackner; which was referred to the Committee on the Post Office and Post Roads.

Mr. Howard presented the petition of Victor Sciata; which was referred to the Committee on the Judiciary.

Mr. Harrison presented the petition of Richard Brannin; which was referred to the Committee on Indian Affairs.

Mr. Cushman presented the claim of the State of New Hampshire for a reimbursement of expenses incurred in maintaining jurisdiction of a portion of its territory, known as the "Indian-stream settlement;" which claim was referred to the Committee on Foreign Affairs.

Mr. Tillinghast presented the memorial of citizens of the State of Rhode Island, praying for the construction of a harbor on Block-island; which memorial was referred to the Committee on Commerce.

Mr. Noyes presented the petition of Robert Ramsay; which was referred to the Committee on Naval Affairs.

Mr. Mallory presented the petition of Sarah M. Gates, widow of Captain Lemuel Gates.

Mr. Fairfield presented the petition of John Marche, and

The petition of Thomas Dyer;

which petitions were referred to the Committee on Naval Affairs.

Mr. John Quincy Adams presented the memorial of merchants of Plymouth, in the State of Massachusetts, for a custom-house at Plymouth;

Also, the memorial of citizens of Hingham, in the State of Massachusetts, for the improvement of Hingham harbor; which memorials were referred to the Committee on Commerce.

Mr. Downing presented the case of James Minnie; which was referred to the Committee on Private Land Claims.

Mr. Toland presented the petition of inhabitants of Pennsylvania, for the execution of criminals sentenced to death in prison yards; which was referred to the Committee on the Judiciary.

Under the general order of this day, the undermentioned petitions were referred to the Committee on Commerce:

By Mr. Downing:—

The petition of citizens of Florida, for a marine hospital at St. Joseph's, in Florida.

The petition of citizens of Florida, for improving the harbor of St. Augustine, in Florida.

The petition of the Legislature of Florida, for a survey of the harbor of St. Augustine, in Florida.

The petition of the city council of St. Augustine, relative to the improvement of the bar at St. Augustine.

The petition of a committee on behalf of the citizens of St. Joseph's, for a buoy in the middle of the channel of the bay of St. Joseph's, in Florida.

The petition of a committee on behalf of citizens of Franklin county, in the Territory of Florida, for a port of entry at that place.

The petition of the Legislature of Florida, for a marine hospital at St. Joseph's.

The petition of William A. Whitehead.

The petition of Francis Wathington.

By Mr. Toland: The petition of Robert Milnor and John Thomson.

By Mr. White, of Indiana:—

The petition of masters and owners of vessels on lake Michigan, for a harbor at City West.

The petition of the General Assembly of Indiana, for the improvement of the harbor at Michigan city.

Under the general order of this day, the petitions of the undermentioned persons were referred to the Committee on the Public Lands:

By Mr. Harrison:—

The petition of Harrison Snead.

The petition of Tarlton Ellege and James White.

The petition of Cornelius Campbell.

The petition of James Butler and others.

The petition of Thomas C. Copes.

The petition of James A. Clark.

The petition of William C. McPherson and others.

The petition of Lucy Johnson, late the widow of George Gooding.

The petition of citizens of Ray county, Missouri, for a new land district, to embrace the counties of Clay, Clinton, Ray, and Carroll, in said State.

The petition of citizens of Missouri, residing on French and Spanish claims, for pre-emptions.

By Mr. Harrison :—

The petition of citizens of Missouri, for a new land office at Potosi, or for the removal of the land office in the Jackson district.

The petition of the Legislature of Missouri, for a grant of five hundred thousand acres of land.

The petition of citizens of St. Charles, in Missouri, for the draining of certain inundated lands.

The petition of members of the Legislature of Missouri, for the improvement of Salt river.

The petition of the Legislature of Missouri, that the money collected by rents from the lead-mines may be returned to the counties in which the lead was obtained.

The petition of the Legislature of Missouri, praying that the counties of Pettis, Salina, and Benton may be attached to the Lexington land district.

The petition of the Legislature of Missouri, that the proceeds of the seminary lands may be appropriated to the use of primary schools.

The petition of citizens of the State of Missouri, for a new land district at Jefferson city.

The petition of citizens of the State of Missouri, for a land office at Boonville, in Cooper county.

By Mr. Snyder :—

The petition of Peter Samuel Jaccard.

The petition of Isaac Miller and Philip Catner.

The petition of William B. Livesay.

The petition of George Kender, Jubilee Pasey, and Joel Whitesides.

The petition of Robert Clark.

By Mr. Downing :—

The petition of Richard C. Allen.

The petition of John Garnier.

The petition of John A. L. Norman, (for the Dade institution.)

An engrossed bill (No. 891) entitled "An act making appropriations, in part, for the support of Government for the years 1838 and 1839," was read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

Bills from the Senate of the following titles, viz :

No. 13. An act for the relief of Elisha Town ;

No. 14. An act for the relief of Erastus Fairbanks and Thaddeus Fairbanks ;

No. 15. An act for the relief of Thomas Sumpter ;
were severally read the first and second time, and referred—

No. 13, to the Committee on Patents ;

No. 14, to the Committee on Patents ;

No. 15, to the Committee on Foreign Affairs.

The resolution from the Senate, for the appointment of a joint committee to direct the expenditure on the Library of Congress, was read, considered, and agreed to ; and

Mr. Pope, Mr. McClure, and Mr. Cleveland were appointed of the committee on the part of this House.

On motion of Mr. Whittlesey,

Resolved, That the Committee on Revolutionary Pensions be instructed

to inquire into the expediency of so amending an act passed on the 7th day of July, 1838, entitled "An act granting half pay and pensions to certain widows," so that the benefits thereof may not be withheld from any widow for having married after the decease of her husband, for whose services she may claim to be allowed a pension, if she would otherwise be entitled thereto.

And then, at a quarter past two o'clock, the House adjourned until Monday next, the 17th instant, at twelve o'clock, meridian.

MONDAY, DECEMBER 17, 1838.

Two other members, viz :

From the State of Indiana—Ratliff Boon,

From the State of Missouri—John Miller,
appeared and took their seats.

A motion was made by Mr. Fry, that the rules in relation to the order of business be suspended, for the purpose of affording him an opportunity to move a resolution ; which was read, and is as follows, viz :

Resolved, That the President of the United States be requested to communicate to this House (if not incompatible with the public interest) whether, since the commencement of the present session of Congress, any call has been made upon the Executive department of this Government, by the Governor of Pennsylvania, for an armed force of United States troops ; and what (official) correspondence, if any, has taken place between him and the Government of said State, in relation to said call ; and whether any arms, powder, ball, or buckshot, or other munitions of war, have been furnished by the United States to any of the troops in Pennsylvania recently called out by order of the Executive of that State.

And on the question, Shall the rules be suspended for the purpose aforesaid ?

It passed in the affirmative (two-thirds voting therefor.) $\left\{ \begin{array}{l} \text{Yeas,} \quad . \quad 136, \\ \text{Nays,} \quad . \quad 55. \end{array} \right.$

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsall
William Key Bond
Ratliff Boon
Nathaniel B. Borden
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter

Mr. Zadok Casey
John Chaney
Richard Cheatham
John C. Clark
Charles D. Coffin
Walter Coles
Henry W. Connor
George W. Crabb
Caleb Cushing
Samuel Cushman
Edward Darlington
Thomas Davee
George C. Dromgoole
John Edwards
James Farrington
John Fairfield
Isaac Fletcher
Henry A. Foster
Jacob Fry, jr.
Albert Gallup
James Garland
Rice Garland
Thomas Glascock
Patrick G. Goode

Mr. William Graham
Abraham P. Grant
William J. Graves
Hiram Gray
George Grennell, jr.
John K. Griffin
Elisha Haley
Robert H. Hammond
James Harlan
Albert G. Harrison
William S. Hastings
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
William Herod
Orrin Holt
Benjamin C. Howard
Edward B. Hubley
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson

Mr. Nathaniel Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Arphaxad Loomis
Francis S. Lyon
Francis Mallory
Joshua L. Martin
Abram P. Maury
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
William Montgomery
Ely Moore
William S. Morgan
Mathias Morris
Calvary Morris
Charles Naylor

Mr. William H. Noble
Amasa J. Parker
William Parmenter
Virgil D. Parrie
Lemuel Paynter
Lancelot Phelps
David Potts, jr.
Zadock Pratt
James Rariden
Luther Reily
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
Samuel T. Sawyer
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder
William W. Southgate

Mr. James B. Spencer
Archibald Stuart
William Stone
Henry Swearingen
John Taliaferro
Obadiah Tiltus
George W. Toland
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Albert S. White
John White
Thomas T. Whittlesey
Jared W. Williams
Joseph L. Williams
Henry A. Wise
Thomas J. Word
Jno. T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. Heman Allen
John W. Allen
J. Banker Ayerigg
George N. Briggs
William B. Calhoun
John Chambers
Timothy Childs
William K. Clowney
Thomas Corwin
Robert Craig
Robert B. Cranston
John W. Crockett
Edward Curtis
Edward Davies
John Dennis
George H. Duan
George Evans
Horace Everett
John Ewing

Mr. Richard Fletcher
Millard Fillmore
Joshua R. Giddings
Seaton Grantland
William Halsted
Alexander Harper
George W. Hopkins
Daniel Jenifer
Levi Lincoln
Richard P. Marvin
James M. Mason
Samson Mason
John P. B. Maxwell
Thos. M. T. McKennan
Charles F. Mercer
Charles F. Mitchell
Joseph C. Noyes
Charles Ogle

Mr. James A. Pearce
Luther C. Peck
Harvey Putnam
Joseph F. Randolph
John Reed
Francis E. Rives
David Russell
Leverett Saltonstall
Mark H. Sibley
Edward Stanly
Charles C. Stratton
Francis Thomas
Joseph L. Tillinghast
Joseph R. Underwood
Taylor Webster
Sherrod Williams
Christopher H. Williams
Thomas Jones Yorke.

The said resolution was then submitted, and again read : when,

At the instance of Mr. Cushing, it was modified by the mover, by adding thereto the following :

“And whether any officer of the United States instigated or participated in certain late riotous proceedings in the State of Pennsylvania, as alleged in the proclamation of the Governor of said State ; and what measures, if any, the President has taken to investigate and punish the said acts ; and whether any such officer still remains in the service of the United States.”

And whilst the question on agreeing to said resolution was under debate, Mr. Naylor was called to order by the Speaker, who decided that his remarks were irrelevant to the question before the House, and in violation of the rule which declares that a member, in debate, “shall confine himself to the question under debate.”

Mr. Naylor thereupon took his seat ; and objection being made to his proceeding in his speech,

A motion was made by Mr. Wise that Mr. Naylor have leave to proceed ;

And the question being put on this motion,

It passed in the affirmative, { Yeas, 151,
 { Nays, 38.

The yeas and nays being desired by one-fifth of the members present,
 Those who voted in the affirmative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John T. Andrews
 J. Banker Aycrigg
 William Beatty
 Andrew Beirne
 John Bell
 Bennet Bicknell
 Richard Biddle
 William Key Bond
 Nathaniel B. Borden
 James W. Bouldin
 George N. Briggs
 John C. Brodhead
 William B. Calhoun
 C. U. Cambreleng
 William B. Campbell
 William B. Carter
 Zadok Casey
 John Chambers
 Reuben Chapman
 Richard Cheatham
 John C. Clark
 Charles D. Coffin
 Thomas Corwin
 Robert B. Cranston
 John W. Crockett
 Edward Curtis
 Caleb Cushing
 Edward Darlington
 William C. Dawson
 Edward Davies
 John Dennis
 George H. Dunn
 John Edwards
 George Evans
 Horace Everett
 John Bwing
 John Fairfield
 Richard Fletcher
 Isaac Fletcher
 Millard Fillmore
 Jacob Fry, jr.
 James Garland
 Joshua R. Giddings
 Thomas Glascock
 Patrick G. Goode
 James Graham
 William Graham
 Seaton Grantland

Mr. William J. Graves
 George Grannell, jr.
 Eliah Hale
 William Halsted
 Robert H. Hammond
 Thomas L. Hamer
 James Harlan
 Alexander Harper
 William S. Hastings
 Charles E. Haynes
 Thomas Henry
 William Herod
 Benjamin C. Howard
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 Daniel Jenifer
 Henry Johnson
 William Cost Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 John P. Kennedy
 John Klingensmith, jr.
 Hugh S. Legare
 Daniel P. Leadbetter
 Dixon H. Lewis
 Levi Lincoln
 Francis Mallory
 Richard P. Marvin
 James M. Mason
 Samson Mason
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 Ely Moore
 Mathias Morris
 Samuel W. Morris
 Calvary Morris
 Charles Ogle
 William Parmenter
 Lemuel Paynter

Mr. James A. Pearce
 Luther C. Peck
 Lancelot Phelps
 John Pope
 David Potts, jr.
 Zadock Pratt
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 John Robertson
 Edward Robinson
 Edward Rumsey
 David Russell
 Leverett Saltonstall
 Samuel T. Sawyer
 Daniel Sheffer
 Augustine H. Shepperd
 Ebenener J. Shields
 Matthias Shepler
 Mark H. Sibley
 William W. Southgate
 Edward Stanly
 Archibald Stuart
 William Stone
 Charles C. Stratton
 Henry Swearingen
 John Taliaferro
 Francis Thomas
 Joseph L. Tillinghast
 Obadiah Titus
 George W. Toland
 George W. Towns
 Joseph R. Underwood
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Albert S. White
 John White
 Thomas T. Whittlesey
 Sherrod Williams
 Jared W. Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 Jno. T. H. Worthington
 Archibald Yell,
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Charles G. Atherton
 Linn Banks
 Cyrus Beers
 Samuel Birdsell
 Ratliff Boon
 John Chaney

Mr. William K. Clowney
 Walter Coles
 Henry W. Connor
 Robert Craig
 Isaac E. Crary
 John I. De Graff

Mr. George C. Drungoole
 Alexander Duncan
 James Farrington
 Albert Gallup
 Abraham P. Grant
 Hiram Gray

Mr. Albert G. Harrison
Micajah T. Hawkins
George W. Hopkins
Edward B. Hubley
William H. Hunter
Joseph Johnson
Joshua L. Martin

Mr. John Miller
William Montgomery
William S. Morgan
William H. Noble
Amasa J. Parker
Virgil D. Parris
Luther Reily

Mr. Francis E. Rives
Adam W. Snyder
James B. Spencer
Isaac Toucey
Hopkins L. Turney
Taylor Webster.

Mr. Naylor having concluded his remarks; and after further debate, The question was put that the House do agree to the resolution; And passed in the affirmative.

And so it was

Resolved, That the President of the United States be requested to communicate to this House (if not incompatible with the public interest) whether, since the commencement of the present session of Congress, any call has been made upon the Executive department of this Government, by the Governor of Pennsylvania, for an armed force of United States troops, and what (official) correspondence, if any, has taken place between him and the Governor of said State in relation to said call; and whether any arms, powder, ball, or buckshot, or other munitions of war, have been furnished by the United States to any of the troops in Pennsylvania, recently called out by order of the Executive of that State; and whether any officer of the United States instigated or participated in certain late riotous proceedings in the State of Pennsylvania, as alleged in the proclamation of the Governor of said State; and what measures, if any, the President has taken to investigate and punish the said acts; and whether any such officer still remains in the service of the United States.

Mr. Parmenter presented a petition of Henry Hatch, in behalf of the estate of Crowell Hatch, formerly of Boston, deceased, praying indemnity for French spoliations prior to 1800; which petition was referred to the Committee on Foreign Affairs.

Mr. Parmenter presented a petition of Silvanus Wood, of Massachusetts, praying an increase of pension; which petition was referred to the Committee on Revolutionary Pensions.

Mr. Parmenter presented a petition of Mary Page, of Cambridge, in the State of Massachusetts, praying to be allowed a pension, in right of her former husband, William Hall, deceased, a musician in the revolutionary army; which petition was referred to the Committee on Revolutionary Pensions.

Mr. Grennell presented a memorial of the "Association of Franklin Ministers," in New Salem, in Massachusetts, praying Congress to endeavor to effect arrangements with other nations for the adjustment of national differences without resort to war; which memorial was referred to the Committee on Foreign Affairs.

Mr. Grennell presented a petition of inhabitants of Northfield, in the county of Franklin, in the State of Massachusetts, praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti; which petition was referred to the Committee on Foreign Affairs.

And then a motion was made by Mr. Wise, that the House do reconsider the vote by which the said last-mentioned petition was referred to the Committee on Foreign Affairs.

And debate arising, the said petition was laid on the table, to be taken

up in the order in which it was presented, according to the 51st rule of the House.

Petitions for the abolition of slavery and the slave trade in the District of Columbia, and in the Territories of the United States; for the abolition of the slave trade in the States; and against the admission of any new State into the Union whose constitution shall tolerate slavery, were presented, viz :

By Mr. Parmenter: A petition of women of Dunstable, in the State of Massachusetts; a petition of male inhabitants of Dunstable, in the State of Massachusetts; a petition of inhabitants of Shirley, in the State of Massachusetts, and a petition of women of Chelmsford, in the State of Massachusetts.

By Mr. Briggs: Two petitions of citizens of Norwich, in the State of Massachusetts.

By Mr. Grennell: Several petitions of inhabitants of Northfield, in the State of Massachusetts; several petitions of inhabitants, males and females, of Royalston, in the State of Massachusetts; two petitions of members of Amherst College, in the State of Massachusetts.

By Mr. Reed: Two petitions from inhabitants of Nantucket, in the county of Nantucket, in the State of Massachusetts.

These petitions, as presented, were severally laid on the table, under the order of the House of the 12th of December instant.

Under the general order of the 14th instant, the undermentioned petitions were referred to the Committee on the Public Lands, viz :

By Mr. Miller :

The petition of Samuel Davis, William Brown, and Marten H. Arthur.

The petition of citizens of Missouri, for right of way to the St. Louis and Belvidere railroad.

The petition of citizens of Missouri, for pre-emption rights in the purchase of lands.

The petition of citizens of Missouri, for a cession of inundated swamp lands.

The petition of Joseph Evans.

The petition of Catharine Dodge.

The petition of Richard Simms.

The petition of Harvey H. Colgan.

The petition of Michael Glass.

The petition of John G. Parsons.

The petition of William Gilliss and John King.

Under the general order of the 14th instant, Mr. Boon referred the petition of Charles Risley to the Committee on Invalid Pensions.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed bills of the following titles :

No. 5. An act for the relief of the heirs of John Brahan, deceased, late receiver of public moneys at Huntsville, in Alabama ;

No. 6. An act for the relief of William Jones ;

No. 17. An act to establish an additional land district in the State of Alabama ;

in which bills I am directed to ask the concurrence of this House. And then he withdrew.

Mr. Reed offered to present a petition of inhabitants of Nantucket, in

the county of Nantucket, in the State of Massachusetts, stating that it prayed Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti.

Mr. Wise objected to receiving the said petition.

And the question was stated, Shall the petition be received?

And, after debate,

At half-past three o'clock, the House adjourned until to-morrow, twelve o'clock, meridian.

TUESDAY, DECEMBER 18, 1838.

Another member, viz : from the State of Mississippi, Sergeant S. Prentiss, appeared, and took his seat.

The House resumed the consideration of the question depending yesterday, viz : Shall the petition offered to be presented by Mr. Reed, from inhabitants of Nantucket, in the county of Nantucket, in the State of Massachusetts, praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti, be received?

And, after debate,

The previous question was moved by Mr. Loomis ; when

A motion was made by Mr. Wise, that the preliminary question, that the petition be received, do lie on the table ;

And the question being put,

It passed in the negative, { Yeas, 64,
 { Nays, 121.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Linn Banks
Ratliff Boom
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Reuben Chapman
Richard Cheatham
Jesse F. Cleveland
William K. Clowney
Walter Coles
Henry W. Connor
Robert Craig
John W. Crockett
Samuel Cushman
William C. Dawson
John Dennis
Thomas Glascock
James Graham
Seaton Grantland

Mr. William J. Graves
John K. Griffin
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Jabez Jackson
Daniel Jenifer
Henry Johnson
William Cost Johnson
John W. Jones
Hugh S. Legare
Dixon H. Lewis
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
Abraham McClellan
John Miller
William Montgomery
James A. Pearce

Mr. John Pope
Zadock Pratt
Abraham Rencher
R. Barnwell Rhett
John Robertson
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
William W. Southgate
Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
John White
Lewis Williams
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
John T. Andrews
Charles G. Atherton
J. Banker Aycrigg
William Beatty

Mr. Andrew Beirue
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsall
William Key Bond

Mr. Nathaniel B. Borden
George N. Briggs
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
Zadok Casey

Mr. John Chambers
John Chaney
Timothy Childs
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
Caleb Cushing
Edward Darlington
Thomas Davee
Edward Davies
John I. De Graff
George C. Dromgoole
Alexander Duncan
George H. Dunn
George Evans
Horace Everett
John Ewing
James Farrington
John Fairfield
Richard Fletcher
Isaac Fletcher
Millard Fillmore
Henry A. Foster
Jacob Fry, jr.
James Garland
Joshua R. Giddings
William Graham
Abraham P. Grant
George Grennell, jr.
Elisha Haley
Hiland Hall
Robert H. Hammond
James Harlan
Alexander Harper
William S. Hastings

Mr. Thomas Henry
William Herod
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Levi Lincoln
Arphaxed Loomis
Richard P. Marvin
Samson Mason
William L. May
John P. B. Maxwell
James J. McKay
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
William S. Morgan
Samuel W. Morris
John L. Murray
Charles Naylor
Joseph C. Noyes
Charles Ogle
William Parmenter
Virgil D. Parris
Lemuel Paynter
Luther C. Peck
David Petrikin

Mr. Lancelot Phelps
David Potts, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Francis E. Rives
Edward Robinson
David Russell
Leverett Saltonstall
Daniel Sheffer
Matthias Sheplor
Mark H. Sibley
William Slade
Adam W. Snyder
James B. Spencer
Charles C. Stratton
William Taylor
Francis Thomas
Joseph L. Tillinghast
George W. Toland
Isaac Toucey
Hopkins L. Turney
Joseph R. Underwood
Henry Vail
Abraham Vanderveer
Taylor Webster
Joseph Weeks
Albert S. White
Thomas T. Whittlesey
Jared W. Williams
Jno. T. H. Worthington
Thomas Jones Yorke.

The previous question, moved by Mr. Loomis, was then demanded by a majority of the members present; and

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the aforesaid memorial from inhabitants of Nantucket, in the county of Nantucket, in the State of Massachusetts, be received?

And passed in the affirmative, { Yeas, 159,
 { Nays, 32.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
John W. Allen
John T. Andrews
Charles G. Atherton
J. Banker Aycrigg
Linn Banks
William Beatty
Andrew Beirne
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsall
William Key Bond
Ratiff Boon

Mr. Nathaniel B. Borden
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
John Chaney
Richard Cheatham
Timothy Childs
Jesse F. Cleveland
William K. Clowney
Charles D. Coffin

Mr. Henry W. Connor
Thomas Corwin
Robert Craig
Isaac E. Cray
Robert B. Cranston
Caleb Cushing
Samuel Cushman
Edward Darlington
Thomas Davee
Edward Davies
John I. De Graff
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards

Mr. George Evans
 Horace Everett
 John Ewing
 James Farrington
 Richard Fletcher
 Isaac Fletcher
 Millard Fillmore
 Henry A. Foster
 Jacob Fry, jr.
 James Garland
 Joshua R. Giddings
 Patrick G. Goode
 William Graham
 Seaton Grantland
 Abraham P. Grant
 William J. Graves
 Hiram Gray
 George Grennell, jr.
 Elisha Haley
 Hiland Hall
 Robert H. Hammond
 Thomas L. Hamer
 James Harlan
 Albert G. Harrison
 Alexander Harper
 William S. Hastings
 Thomas Henry
 William Herod
 Orrin Holt
 George W. Hopkins
 Benjamin C. Howard
 Edward B. Hubley
 Samuel Ingham
 Thomas B. Jackson
 James Jackson
 Henry Johnson
 Joseph Johnson
 Nathaniel Jones

Mr. John W. Jones
 George M. Keim
 Gouverneur Kemble
 John P. Kennedy
 John Klingensmith, jr.
 Daniel P. Leadbetter
 Levi Lincoln
 Arphaxed Loomis
 Richard P. Marvin
 Samson Mason
 John P. B. Maxwell
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Thomas M. T. McKannan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 William Montgomery
 William S. Morgan
 John L. Murray
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle
 Amasa J. Parker
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 James A. Pearce
 Luther C. Peck
 David Petrikin
 Lancelot Phelps
 Arnold Plumer
 David Potts, jr.
 Zadock Pratt
 Harvey Putnam
 James Rariden

Mr. Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 Francis E. Rives
 Edward Robinson
 Edward Rumsey
 David Russell
 Leverett Saltonstall
 Matthias Shepler
 Mark H. Sibley
 William Slade
 Adam W. Snyder
 William W. Southgate
 James B. Spencer
 Archibald Stuart
 Charles C. Stratton
 William Taylor
 Francis Thomas
 Joseph L. Tillinghast
 George W. Toland
 Isaac Toucey
 Hopkins L. Turney
 Joseph R. Underwood
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 Joseph Weeks
 Albert S. White
 John White
 Thomas T. Whittlesey
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 Christopher H. Williams
 John T. H. Worthington
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John Calhoun
 John Campbell
 Walter Coles
 John W. Crockett
 William C. Dawson
 John Dennis
 Thomas Glascock
 James Graham
 John K. Griffin
 Micajah T. Hawkins
 Charles E. Haynes

Mr. Daniel Jenifer
 William Cost Johnson
 Hugh S. Legare
 Dixon H. Lewis
 Francis S. Lyon
 Francis Mallory
 Joshua L. Martin
 John Miller
 John Pope
 R. Barnwell Rhett
 John Robertson

Mr. Augustine H. Shepperd
 Charles Shepard
 Ebenezer J. Shields
 Edward Stanly
 William Stone
 George W. Towns
 Lewis Williams
 Henry A. Wise
 Thomas J. Word
 Archibald Yell.

The said petition having been thus received by a vote of the House,
 A motion was made by Mr. Reed, that it be referred to the Committee
 on Foreign Affairs.

A motion was made by Mr. Stuart, that the said petition do lie on the
 table ;

And the question being put,

It passed in the negative, { Yeas, 84,
 { Nays, 103.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. Charles G. Atherton
 J. Banker Aycrigg

Mr. Linn Banks
 William Beatty

Mr. Andrew Beirne
 James A. Bynum

Mr. John Calboon
 William B. Campbell
 John Campbell
 William B. Carter
 John Chambers
 John Chaney
 Reuben Chapman
 Richard Cheatham
 Jesse F. Cleveland
 William K. Clowney
 Walter Coles
 Henry W. Connor
 Robert Craig
 John W. Crockett
 William C. Dawson
 John Dennis
 James Farrington
 Thomas Glascock
 James Graham
 Seaton Grantland
 John K. Griffin
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Richard Hawes
 Micajah T. Hawkins

Mr. Charles E. Haynes
 Edward B. Hubley
 Jabes Jackson
 Daniel Jenifer
 Henry Johnson
 Joseph Johnson
 William Cost Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 Hugh S. Legare
 Dixon H. Lewis
 Francis S. Lyon
 James M. Mason
 Joshua L. Martin
 Abram P. Maury
 Robert McClellan
 Abraham McClellan
 Richard H. Menefee
 John Miller
 William Montgomery
 Ely Moore
 Amasa J. Parker
 Lemuel Paynter
 James A. Pearce
 David Petrikin

Mr. John Pope
 Zadock Pratt
 Abraham Rencher
 R. Barnwell Rhett
 Francis E. Rives
 John Robertson
 Edward Rumsey
 Augustine H. Sheppard
 Charles Shepard
 Ebenezer J. Shields
 Matthias Shepler
 William W. Southgate
 Edward Stanly
 Archibald Stuart
 William Stone
 John Taliaferro
 Obadiah Titus
 George W. Towns
 David D. Wagener
 Lewis Williams
 Sherrod Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 John T. H. Worthington
 Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
 James Alexander, jr.
 John W. Allen
 Hugh J. Anderson
 John T. Andrews
 Bennet Bicknell
 Richard Biddle
 William Key Bond
 Nathaniel B. Borden
 George N. Briggs
 Isaac H. Bronson
 Andrew Buchanan
 William B. Calhoun
 Zadok Casey
 John C. Clark
 Charles D. Coffin
 Thomas Corwin
 Robert B. Cranston
 Caleb Cushing
 Samuel Cushman
 Edward Darlington
 Thomas Davee
 Edward Davies
 John I. De Graff
 George C. Dromgoole
 Alexander Duncan
 George H. Dunn
 John Edwards
 George Evans
 Horace Everett
 Richard Fletcher
 Isaac Fletcher
 Millard Fillmore
 Henry A. Foster
 Jacob Fry, jr.

Mr. Joshua R. Giddings
 Patrick G. Goode
 William Graham
 Abraham P. Grant
 Hiram Gray
 George Grennell, jr.
 Elisha Haley
 Hiland Hall
 James Harlan
 Alexander Harper
 William S. Hastings
 Thomas Henry
 William Herod
 George W. Hopkins
 Benjamin C. Howard
 Samuel Ingham
 Thomas B. Jackson
 Gouverneur Kemble
 John P. Kennedy
 John Klingensmith, jr.
 Daniel P. Leadbetter
 Levi Lincoln
 Arphaxed Loomis
 Richard P. Marvin
 Samson Mason
 Thos. M. T. McKennan
 John J. Milligan
 William S. Morgan
 John L. Murray
 Charles Naylor
 William H. Noble
 Joseph C. Noyes
 Charles Ogle
 William Parmenter

Mr. Luther C. Peck
 Lancelot Phelps
 Arnold Plumer
 David Potts, jr.
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Saltonstall
 Daniel Sheffer
 Mark H. Sibley
 William Slade
 Adam W. Snyder
 James B. Spencer
 Charles C. Stratton
 William Taylor
 Francis Thomas
 Joseph L. Tillinghast
 George W. Toland
 Isaac Toucey
 Hopkins L. Turney
 Joseph R. Underwood
 Henry Vail
 Taylor Webster
 Joseph Weeks
 Albert S. White
 John White
 Thomas T. Whittlesey
 Jared W. Williams
 Joseph L. Williams
 Thomas Jones Yorke.

The question was then put, that the petition be referred to the Committee on Foreign Affairs :
 and passed in the affirmative.

The House proceeded to the consideration of the motion made by Mr. Wise yesterday, that the House do reconsider the vote by which the petition presented by Mr. Grennell, from inhabitants of Northfield, in the State of Massachusetts, in relation to intercourse with the Government of Hayti, was referred to the Committee on Foreign Affairs; when

Mr. Wise withdrew his motion to reconsider.

Mr. Fletcher, of Massachusetts, presented a petition of Nathaniel Masters, of Boston, in the State of Massachusetts, who was wounded in the war of 1812 with Great Britain, praying a pension; which petition was referred to the Committee on Invalid Pensions.

Mr. Fletcher, of Massachusetts, presented a petition of Richard Pierce and Elizabeth Creasy Pierce, of Suffolk county, Massachusetts, representatives of Isaac Howard, a revolutionary soldier, praying remuneration for the revolutionary services of their ancestor; which petition was referred to the Committee on Revolutionary Claims.

Mr. Fletcher, of Massachusetts, presented a petition of Elizabeth Champney, of Boston, in the State of Massachusetts, widow of William Champney, who was killed while in the service of the Government in the year 1814, praying for a pension from the navy pension fund; which petition was referred to the Committee on Naval Affairs.

Mr. Borden presented a petition of Charles Whitmarsh and James Galison, master and owner of the schooner Freedom, of Taunton, in the Commonwealth of Massachusetts, employed in the cod-fishery, praying for a fishing bounty; which petition was referred to the Committee on Commerce.

Mr. Hastings presented a petition of Asa Clark, of Sherburne, in the State of Massachusetts, praying for the payment of the wages due to him for services rendered in the revolutionary war; which petition was referred to the Committee on Revolutionary Claims.

Petitions praying for the abolition of slavery in the District of Columbia, were presented as follows, viz:

By Mr. Saltonstall: Four petitions of inhabitants of Lynn, Essex, Wrentham, and Middleton, in the State of Massachusetts.

By Mr. Hastings: Five petitions of inhabitants of Sherburne, Southborough, Needham, Roxbury, and Upton, in the State of Massachusetts.

By Mr. Borden: A petition of inhabitants of Seekonk, in the State of Massachusetts.

By Mr. Lincoln: Three petitions of inhabitants of Spencer, Dudley, and Ashburnham, in the State of Massachusetts.

These said petitions, as presented, were severally laid on the table, under the order of the House of the 12th of December, instant.

Petitions praying for the abolition of slavery in the District of Columbia, and for the prohibition of the slave trade in the United States, were presented as follows, viz:

By Mr. Saltonstall: Two petitions of inhabitants of Essex and Middleton, in the State of Massachusetts.

By Mr. Hastings: Two petitions of inhabitants of Natick and Needham, in the State of Massachusetts.

By Mr. Lincoln: Three petitions of inhabitants of Dudley, Boylston, and Hubbardston, in the State of Massachusetts.

These petitions, as presented, were severally laid on the table, under the order of the House of the 12th of December instant.

Petitions praying for the abolition of slavery and the slave trade in the District of Columbia and the Territories of the United States were presented as follows, viz :

By Mr. Hastings : Two petitions of inhabitants of Worcester and Upton, in the State of Massachusetts ; which were laid on the table under the order of the House of the 12th of December instant.

Memorials remonstrating against the admission of Florida or any new State into the Union, the constitution of which shall tolerate slavery, were presented as follows, viz :

By Mr. Saltonstall : Three petitions of inhabitants of Essex, Middleton, and Lynn, in the State of Massachusetts.

By Mr. Hastings : Five petitions of inhabitants of Roxbury, Sherburne, Upton, Needham, and Southborough, in the State of Massachusetts.

By Mr. Fletcher, of Massachusetts : Two petitions of inhabitants of Ipswich and New Ipswich, in the State of New Hampshire.

By Mr. Borden : A petition of citizens of Seekonk, in the State of Massachusetts.

Mr. Hastings presented a petition of citizens of Upton, in the State of Massachusetts, praying that the slave trade among the States may be prohibited.

These petitions, as presented, were severally laid on the table, under the order of the House of the 12th of December instant.

Mr. Hastings presented a memorial of citizens of Worcester, in the State of Massachusetts, remonstrating against the annexation of Texas to the Union of these States, and against the admission of any new State into the Union, whose constitution tolerates slavery ; which memorial was laid on the table, under the order of the House of the 12th instant.

Mr. Hastings presented a memorial of citizens of Upton, in the State of Massachusetts, remonstrating against the annexation of Texas to the Union of these States ; which memorial was laid on the table.

Mr. Saltonstall presented three several memorials of citizens of Upper Beverly, Sandy Bay, and Danvers, praying for the abolition of slavery and the slave trade in the District of Columbia, the slave trade between the States, the rejection of any application for the admission of Florida or any other slave-holding Territory into this Union, and for the suppression of the slave trade between this country and Texas.

The said petitions and memorials were severally laid upon the table, as presented, under the order of the House of the 12th instant.

Mr. Saltonstall offered to present a petition of inhabitants of Danvers, in the county of Essex, in the State of Massachusetts, which he stated prayed Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti.

Mr. Legare objected to receiving the petition ;

And the question was stated, Shall the petition be received ?

And, after debate,

The House, at a quarter past three o'clock, adjourned until to-morrow, twelve o'clock, meridian.

WEDNESDAY, DECEMBER 19, 1838.

Another member, viz : From the State of Pennsylvania, William W. Potter, appeared, and took his seat.

Mr. John Quincy Adams, from the Select Committee to which was referred bill (No. 390) to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof, reported an amendatory bill ; which was committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, reported several bills, viz :

No. 892. A bill making an appropriation for the protection of the Northern frontier of the United States ;

No. 893. A bill making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year 1839 ; which bills were read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, reported a bill (No. 894) for the relief of Chastelain and Ponvert ; which bill was read the first and second time, and committed to the same Committee of the Whole which has in charge the bill of this House (No. 228) for the relief of John B. Lasala, of New York.

The House resumed the consideration of the question depending yesterday, viz : Shall the petition offered to be presented by Mr. Saltonstall, from inhabitants of Danvers, in the county of Essex, in the State of Massachusetts, be received ?

The previous question was moved by Mr. Harrison, and, being demanded by a majority of the members present,

The said previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative.

The main question was then put, viz : Shall the said petition be received ?

And passed in the affirmative.

The said petition, having been thus received by a vote of the House, was referred to the Committee on Foreign Affairs.

A motion was made by Mr. Sherrod Williams, that the rules in relation to the order of business be suspended, to enable him to move the following resolution, viz :

Resolved, That the following be added to, and constitute one of the standing rules of the House :

"If, on the presentation of a petition, objection be made to receiving the same, the question shall be put, and decided without debate."

And on the question, Shall the rules be suspended for the purpose aforesaid ?

It passed in the negative, { Yeas, 90,
Nays, 102.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John W. Allen
Hugh J. Anderson
John T. Andrews
Linn Banks

Mr. Cyrus Beers
Bennet Bicknell
Samuel Birdsall
Ratliff Boon

Mr. Isaac H. Bronson
Jesse A. Bynum
Zadok Casey
John Chambers

Mr. Reuben Chapman
Richard Cheatham
William K. Clowney
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Isaac E. Crary
Samuel Cushman
John I. De Graff
Alexander Duncan
John Ewing
James Farrington
Millard Fillmore
Jacob Fry, jr.
Albert Gallup
James Garland
Thomas Glascock
Seaton Grantland
William J. Graves
Hiram Gray
John K. Griffin
Elisha Haley
Robert H. Hammond
Albert G. Harrison
Micajah T. Hawkins

Mr. Charles E. Haynes
Thomas Henry
William Herod
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
Thomas B. Jackson
Jabez Jackson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
Daniel P. Leadbetter
Francis S. Lyon
James J. McKay
Robert McClellan
Abraham McClellan
Charles F. Mercer
John Miller
William Montgomery
William S. Morgan
John L. Murray

Mr. William H. Noble
John Palmer
Amasa J. Parker
David Petrikin
Lancelot Phelps
Zadock Pratt
Francis E. Rives
Augustine H. Shoppert
Matthias Sheplor
William W. Southgate
James B. Spencer
Archibald Stuart
William Stone
John Taliaferro
Obadiah Titus
Hopkins L. Turney
Joseph R. Underwood
Henry Vail
Abraham Vanderveer
David D. Wagener
Joseph Weeks
Albert S. White
John White
Sherrod Williams
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
Charles G. Atherton
J. Banker Aycrigg
William Beatty
John Bell
Nathaniel B. Borden
George N. Briggs
Andrew Buchanan
William B. Calhoun
John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
John Chaney
John C. Clark
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
John W. Crockett
Caleb Cushing
William C. Dawson
Thomas Davee
Edward Davee
John Dennis
George C. Dromgoole
George Evans
Horace Everett
John Fairfield
Richard Fletcher
Isaac Fletcher
Henry A. Foster
Joshua R. Giddings

Mr. Patrick G. Goode
James Graham
William Graham
George Grennell, jr.
Hiland Hall
Thomas L. Hamer
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Samuel Ingham
Daniel Jenifer
Dixon H. Lewis
Levi Lincoln
Francis Mallory
Richard P. Marvin
James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
John P. B. Maxwell
Thomas M. T. McKenman
Richard H. Menefee
Charles F. Mitchell
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
William Parmenter
James A. Pearce
Luther C. Peck
David Potts, jr.
Sergeant S. Prentiss

Mr. Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Luther Reily
R. Barnwell Rhett
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Samuel T. Sawyer
Daniel Sheffer
Charles Shepard
Ebenezer J. Shields
Mark H. Stibley
William Slade
Adam W. Snyder
Edward Stanly
Charles C. Stratton
Henry Swearingen
Francis Thomas
Joseph L. Tillinghast
George W. Toland
Isaac Toucey
Thomas T. Whittlesey
Lewis Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

A message, in writing, was received from the President of the United States, by Mr. Martin Van Buren, jr., his private secretary, as follows :

To the House of Representatives of the United States :

I transmit the accompanying documents, marked from 1 to 5, in reply to a resolution of yesterday's date, calling for copies of correspondence between the Executive of the General Government and the Governor of Pennsylvania, in relation to "a call of the latter for an armed force of United States troops since the present session of Congress," and requiring information "whether any officer of the United States instigated or participated in" the riotous proceedings referred to in the resolution; and "what measures, if any, the President has taken to investigate and punish the said acts; and whether any such officer still remains in the service of the United States."

M. VAN BUREN.

WASHINGTON, December 18, 1838.

The said message and accompanying documents were read, and ordered to lie on the table.

The Speaker laid before the House sundry communications, viz :

I. A letter from the First Comptroller of the Treasury, transmitting a statement of the accounts which have remained unsettled or on which balances appear to have been due more than three years prior to the 30th September, 1838, on the books of the Fourth Auditor of the Treasury; which letter and statement were ordered to lie on the table.

II. A report from the Solicitor of the Treasury, on the case of John Peebles, collector of internal duties in Ohio, referred to him at the last session by the Committee of Claims; which report was referred to the Committee of Claims.

III. A letter from the Secretary of the Treasury, transmitting a report from the Commissioner of the General Land Office, having regard to the operations of that office during the year 1837 and part of the year 1838; which letter and report were ordered to lie on the table.

IV. A letter from the Secretary of the Treasury, transmitting the information called for on the 6th June, 1838, in relation to the accounts of Major Trueman Cross, of the Quartermaster's department; which letter was read, and ordered to lie on the table.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed bills of the following titles, viz :

No. 7. An act for the relief of William East;

No. 19. An act to amend an act entitled "An act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes;"

No. 21. An act to confirm the sale of certain reservations;

No. 26. An act to amend an act entitled "An act to require the judge of the district of East and West Tennessee to hold a court at Jackson, in said State," approved June 18, 1838;

No. 38. An act granting to the county of Kalamazoo, in the State of Michigan, the right of pre-emption to a quarter section of land, and for other purposes;

No. 42. An act for the relief of John Newton;

No. 51. An act for the relief of Jean B. Valle;

No. 65. An act further to postpone the fourth instalment of deposit with the States ;
in which bills I am further directed to ask the concurrence of this House. And then he withdrew.

The House resumed the consideration of the message of the President of the United States of the 8th instant, communicated to this House on the 10th instant, in relation to the recently-discovered default of Samuel Swartwout, late collector of the customs at the port of New York.

The question recurred on the motion made by Mr Cambreleng on the 10th instant, that so much thereof as relates to the default of Samuel Swartwout, be referred to a select committee ; and that so much as relates to the adoption of further measures for increasing the public security against similar defalcations, be referred to the Committee of Ways and Means.

Mr. Cambreleng modified his said motion as follows : To refer the communication from the President of the United States of the 8th of December, 1838, relating to the defalcation of the late collector of the port of New York, except so much as relates to the modification of the revenue laws, to a select committee ; when

A motion was made by Mr. Wise, to refer the aforesaid communication from the President of the United States to the Committee of the Whole House on the state of the Union.

And, after debate,

The House, at fifteen minutes past three o'clock, adjourned until to-morrow, twelve o'clock meridian.

THURSDAY, DECEMBER 20, 1838.

Mr. Cushman submitted to the House the report of Lieutenant George N. Hollins, of the United States navy, surveyor of light-houses in the fifth light-house district of the United States, transmitted to him (Mr. Cushman) as chairman of the Committee on Commerce, by the Secretary of the Treasury, and is intended to accompany the report of the Secretary of the Treasury upon the subject of light-houses, communicated to the House on the 13th instant.

Mr. John Quincy Adams presented a petition of Jacob Chase and others, legal voters of Hudson, in the county of Hillsborough, in the State of New Hampshire, praying the abolition of slavery in the District of Columbia and in Florida ; to prohibit the slave trade between the States ; and that no new State may be admitted into the Union whose constitution tolerates slavery ; and, further, that their petition may be referred to a select committee, before whom they may be heard in person or by counsel.

Mr. Adams moved that so much of said petition as prays that the petitioners may be heard in person or by counsel, may be granted.

The Speaker decided that the said motion was not in order, and that the petition was embraced in the order of the House of the 12th instant, which directs "that every petition, memorial, resolution, proposition, or paper, touching or relating in any way, or to any extent whatever, to slavery as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table without be-

Mr. Isaac Toucey
Hopkins L. Turney
Joseph R. Underwood
Henry Vail
Abraham Vanderveer
Taylor Webster

Mr. Joseph Weeks
Albert S. White
John White
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams

Mr. Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Thomas J. Word
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
William B. Calhoun
Edward Darlington

Mr. Edward Davies
George Evans
David Potts, jr.

Mr. Joseph Ridgway
Joseph L. Tillinghast.

And so the said petition was laid on the table, under the order of the House of the 12th instant.

On this question Mr. Wise refused to vote.

Mr. John Quincy Adams presented a petition of 107 inhabitants of the town of Courtlandville, in the State of New York, praying Congress not to admit any new State into the Union whose constitution tolerates slavery, and promptly to reject all proposals for the annexation of Texas unto the Union of these States.

Mr. Adams moved that so much of said petition as relates to Texas, be referred to the Committee on Foreign Affairs; when

A motion was made by Mr. Howard, that the said motion do lie on the table; which was agreed to by the House.

Mr. John Quincy Adams presented a memorial of James Edmondston, on behalf of himself and other mechanics and workmen employed in the construction of the new Treasury building, praying to be allowed and paid for the time lost by them during the suspension of the work on said building; which memorial was referred to the Committee on the Public Buildings.

Mr. John Quincy Adams presented a petition of Lydia Faxon, widow of Caleb Faxon, deceased, a revolutionary soldier, praying for a pension, accompanied by a recommendation of her neighbors in her behalf.

Mr. John Quincy Adams presented a petition of Margaret Wade, widow of Jonathan Wade, late of Scituate, in Massachusetts, deceased, a revolutionary soldier, praying for a pension.

Ordered, That the said petitions be referred to the Committee on Revolutionary Pensions.

Mr. John Quincy Adams presented a memorial of Charles Lewis Fleischman, a citizen of the United States, showing the importance of, and the benefits which may arise from, the establishment of a national agricultural school, as a branch of the Smithsonian institution; which memorial was referred to the Select Committee appointed on two messages from the President in relation to the Smithsonian bequest.

On motion of Mr. John Quincy Adams,

Ordered, That the memorial of Walter R. Johnson, for an institution for experiments in physical sciences, presented May 21, 1833, be referred to the Select Committee appointed on two messages from the President in relation to the Smithsonian bequest.

Mr. John Quincy Adams presented a petition of 334 ladies of the town of Perry, in the county of Genesee, in the State of New York, praying Congress to reject all propositions for the annexation of Texas to the United States; and moved its reference to a select committee.

On motion of Mr. Dromgoole, the petition was laid on the table.

Mr. John Quincy Adams presented two petitions, praying Congress to

recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti: one from inhabitants of Otisfield and Raymond, in the county of Cumberland, in the State of Maine; the other from inhabitants of Thompson, in the county of Windham, in the State of Connecticut: which petitions were referred to the Committee on Foreign Affairs.

Mr. John Quincy Adams also presented a petition of Abby Sanford and other women, of East Bridgewater, in the county of Plymouth, in the State of Massachusetts, praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti; and moved that the said petition be referred to the Committee on Foreign Affairs, with instructions to consider and report thereon.

A division of the question on this motion was called for by Mr. Dromgoole; and debate arising, the said petition was laid on the table, to be taken up in the order in which it was presented, according to the 51st rule of the House.

Mr. John Quincy Adams presented a remonstrance of 219 citizens of the city of Philadelphia, against the resolutions adopted by this House on the 12th instant, in relation to the subject of slavery; and moved its reference to the Committee of the Whole House on the state of the Union.

On motion of Mr. Dromgoole, the remonstrance was laid on the table.

Mr. Hall presented a petition of inhabitants, male and female, of Cavendish, in the State of Vermont, praying Congress promptly to reject all proposals for the annexation of Texas to this Union; which petition was referred to the Committee on Foreign Affairs.

On motion of Mr. Slade,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of making compensation to the volunteers who repaired to Plattsburg on the invasion of the British forces in September, 1814; and that all the papers on file relating to that subject referred to said committee.

On motion of Mr. Jenifer,

Ordered, That the petition of John Spalding, presented April 25, 1835, be referred to the Committee on Foreign Affairs.

Mr. Slade presented a petition of inhabitants of West Randolph, in the county of Orange and State of Vermont, praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti.

Mr. Slade moved that the said petition be referred to the Committee on Foreign Affairs, with instructions to report a bill recognising the independence of the republic of Hayti, and making provision for entering into the customary international relations therewith.

And, debate arising, the said petition was laid on the table, to be taken up in the order of its presentation, according to the 51st rule of the House.

Mr. John Quincy Adams presented the undermentioned petitions, which severally pray for the abolition of slavery in the District of Columbia and in the Territories of the United States, and to prohibit the slave trade between the States; and, further, that their petitions may be referred to a select committee, before whom they may be heard in person or by counsel, viz:

From Silas Morton and 87 other male and female inhabitants of

Otisfield and Raymond, in the county of Cumberland, in the State of Maine.

From S. Marsh and other inhabitants of the town of Enfield, in the county of Tompkins, in the State of New York.

From B. S. Halsey and 321 other inhabitants of the town of Ithaca, in the county of Tompkins, in the State of New York.

From Spencer Shoemaker and 81 other male and female inhabitants of Horsham township, in the county of Montgomery, in the State of Pennsylvania.

From Beta Hotchkiss and 56 other male and female inhabitants of Watertown, in Litchfield county, in the State of Connecticut.

From Hannah H. Smith and 300 other women of Glastonbury, in the county of Hartford, in the State of Connecticut.

From E. L. Preston and 109 other men and women of the town of Brooklyn, in the county of Windham, in the State of Connecticut.

From Benjamin G. Willing and other citizens, male and female, of the town of Milton, in the county of Strafford, in the State of New Hampshire.

From Thomas Thatcher and 59 other citizens of the town of Thompson, in the State of Connecticut.

From Oliver Hale and 45 other inhabitants of the town of Glastonbury, in the county of Hartford, in the State of Connecticut.

From Abby Sanford and other women of East Bridgewater, in the county of Plymouth, in the State of Massachusetts.

Mr. Adams, in presenting each of the before-mentioned petitions, moved that so much of said petitions as prays that the petitioners may be heard in person or by counsel be granted.

The Speaker decided that the motion was not in order, and that the petitions were embraced in the order of the House of the 12th instant, which directs "that every petition, memorial, resolution, proposition, or paper, touching or relating in any way, or to any extent whatever, to slavery as aforesaid, or to the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid on the table, without being debated, printed, or referred;" and that the said petitions would be laid on the table without further action thereon.

Mr. John Quincy Adams also presented various petitions, praying Congress not to admit any new State into the Union whose constitution tolerates slavery, and to repel all applications and propositions for the annexation of Texas to the United States; and, further, that their petitions may referred to a select committee, before whom they may be heard in person or by counsel, viz :

From James Darling and 57 other inhabitants of Thompson, in the State of Connecticut.

From Abby Sanford and other women of East Bridgewater, in the county of Plymouth, in the State of Massachusetts.

From Spencer Shoemaker and 81 other citizens, male and female, of Horsham, in the county of Montgomery, in the State of Pennsylvania.

From E. L. Preston and 108 other citizens, male and female, of Brooklyn, in the State of Connecticut.

From Benjamin G. Willing and other citizens, male and female, of Milton, in the county of Strafford, in the State of New Hampshire.

From B. S. Halsey and 256 other inhabitants of the towns of Ithaca and Enfield, in the county of Tompkins, in the State of New York.

From David Webster and 144 other inhabitants of the town of Rumsey, in the State of New Hampshire.

From Bela Hoitchkiss and 56 other inhabitants, male and female, of Watertown, in the State of Connecticut.

From Silas Norton and 95 other inhabitants, male and female, of Otisfield, Raymond, and Windham, in the State of Maine.

Mr. Adams, in presenting each of the before-mentioned petitions, moved that so much of said petitions as pray that the petitioners may be heard in person or by counsel be granted.

The Speaker decided in this case as in the case of the preceding petitions with the same prayer, presented by Mr. Adams.

Memorials praying for the abolition of slavery in the District of Columbia and Territory of Florida; for the prohibition of the slave trade between the several States; and remonstrating against the admission of any new State into the Union whose constitution tolerates slavery, were presented as follows, viz :

By Mr. Slade: Four petitions of citizens of Milford, in the State of New Hampshire, and of students of Dartmouth college in said State.

By Mr. John Quincy Adams: A petition of legal voters of Merrimac, in the State of New Hampshire.

By Mr. John Quincy Adams: A petition of women of Merrimac, in the State of New Hampshire.

By Mr. John Quincy Adams: A petition of inhabitants of the county of Hillsborough, in the State of New Hampshire.

These memorials, as presented, were laid on the table, under the order of the House of the 19th instant.

Petitions praying for the abolition of slavery in the District of Columbia, in the Territory of Florida, and for the prohibition of the slave trade between the several States, were presented as follows, viz :

Mr. Slade presented five petitions of males and females of Upham, Hardwick, Waterford, and Londonderry, of the State of Vermont, and of Newtown, in the State of Connecticut, for the abolition of slavery in the District of Columbia, in the Territory of Florida, and for the prohibition of the slave trade between the several States.

Mr. Slade presented a memorial of inhabitants of Starksborough, in the State of Vermont, praying for the abolition of slavery in the District of Columbia, and in the Territories of the United States; for the prohibition of the slave trade between the several States; and remonstrating against the admission of Texas or any new slave State into the Union of the States.

Mr. Slade presented two memorials of inhabitants of Hubbardton and New Haven, in the State of Vermont, praying for the abolition of slavery in the District of Columbia, and the prohibition of the slave trade, and remonstrating against the admission into the Union of any new slave State.

These petitions and memorials were, as presented, laid on the table, under the order of the House of the 12th instant.

Memorials praying for the abolition of slavery in the District of Columbia, and in the Territory of Florida, and for the prohibition of the slave trade between the States, were presented as follows, viz :

By Mr. Slade: Two memorials of males and females of West Randolph, in the State of Vermont.

By Mr. Allen of Vermont: Of inhabitants of Cambridge, in the State of Vermont.

By Mr. John Quincy Adams: Of the Franklin Association of Ministers, in the State of Massachusetts.

By Mr. Giddings: Of 57 inhabitants of Tallmadge, in the State of Ohio.

These petitions and memorials, as presented, were laid on the table, under the order of the House of the 12th instant.

Petitions praying for the abolition of slavery in the District of Columbia, were presented as follows, viz:

By Mr. John Quincy Adams: Of 23 inhabitants of Ohio county, in the State of Virginia;

Of 85 legal voters of Northborough, in the State of Massachusetts;

Of 318 females of Perry, in the State of New York;

Of 195 citizens of West Boylston, in the State of Massachusetts;

Of males and females of the town of Shelburne, in the State of Massachusetts;

Of Thomas Dodge and 40 citizens of Truro, in the State of Massachusetts.

By Mr. Putnam: Of inhabitants of Middlebury, in the State of New York.

By Mr. Sheffer: Of inhabitants of Adams county, in the State of Pennsylvania.

By Mr. Sheplor: Of inhabitants of Stark county, in Ohio.

By Mr. Giddings: Of females of Tallmadge, in Ohio.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December instant.

Memorials remonstrating against the admission of any new slave-holding State, and against the annexation of Texas, were presented as follows, viz:

By Mr. Slade: Six memorials of inhabitants of Hardwick, Waterford, Londonderry, West Randolph, Windham, in the State of Vermont, and of Newtown, in the State of Connecticut.

By Mr. Allen of Vermont: Of citizens of Cambridge, in the State of Vermont.

By Mr. John Quincy Adams: Of Wm. B. Fox and 453 other citizens of Worcester, in the State of Massachusetts.

By Mr. Giddings: Of citizens of Tallmadge, in the State of Ohio.

By Mr. Peck: Of inhabitants of Centerville, in the State of New York.

By Mr. Putnam: Of inhabitants of Bethany, in the State of New York.

These petitions, as presented, were laid on the table, under the order of the House of the 12th instant.

Memorials praying for the prohibition of the slave trade among the States were presented as follows, viz:

By Mr. John Quincy Adams: Of 321 women of Perry, in the State of New York;

Of 25 citizens of Ohio county, in Virginia;

Of Milley Cummings and 221 citizens of Ashburnham, in the State of Massachusetts.

By Mr. Hall: Of inhabitants of Cavendish, in the State of Vermont

By Mr. Putnam: Of inhabitants of Middlebury, in the State of New York.

By Mr. Giddings : Of inhabitants of Monroe, in the State of Ohio.

These memorials, as presented, were laid on the table, under the order of the House of the 12th instant.

Memorials remonstrating against the admission of Florida or any new slave-holding State into the Union of these States were presented as follows, viz :

By Mr. John Quincy Adams : Of Thomas Dodge and 32 inhabitants of Truro, in Massachusetts;

Of the Rev. Joseph Allen and 87 inhabitants of Northborough, in the State of Massachusetts;

Of 199 citizens of West Boylston, in the State of Massachusetts;

Of citizens of Westfield, in the State of Massachusetts.

By Mr. Russell : Of inhabitants of Fort Ann, in the State of New York.

These memorials, as presented, were laid on the table, under the order of the House of the 12th instant.

Memorials praying for the abolition of slavery and the slave trade in the District of Columbia and in the Territories of the United States, and to prohibit the slave trade, were presented as follows, viz :

By Mr. Slade : Of women of Manlius, in the State of New York.

By Mr. John Quincy Adams : Of 88 inhabitants of Courtlandville, in the State of New York ;

Of 24 inhabitants of Ohio county, in the State of Virginia ;

Of William B. Fox and 403 citizens of Worcester, in the State of Massachusetts.

By Mr. Hall : Of inhabitants of Cavendish, in the State of Vermont.

By Mr. Peck : Of inhabitants of Centerville, in the State of New York.

By Mr. Russell : Of inhabitants of Fort Ann, in the State of New York.

By Mr. Putnam : Of inhabitants of Bethany, in the State of New York.

By Mr. Henry : Of inhabitants of Beaver and Butler counties, in the State of Pennsylvania.

By Mr. Giddings : Of inhabitants of Monroe, in the State of Ohio.

Mr. Sheplor presented two memorials of inhabitants of Stark and Portage counties, in the State of Ohio, praying for the abolition of slavery in the District of Columbia, and remonstrating against the annexation of Texas to the Union of these States.

These memorials, as presented, were laid on the table, under the order of the House of the 12th instant.

Memorials praying for the abolition of slavery in the District of Columbia, and the prohibition of the slave trade in the United States, were presented as follows, viz :

By Mr. John Quincy Adams : Of Eunice Nutting and 95 women of Palmer, in the State of Massachusetts ;

Of Mary Niles and 352 women of Abington, in the State of Massachusetts ;

Of women of West Boylston, in the State of Massachusetts ;

Of women of Westfield, in the State of Massachusetts.

Mr. Putnam presented a memorial of inhabitants of Middlebury, in the State of New York, remonstrating against the admission of any new slave State into the Union.

Mr. Giddings presented a like memorial of inhabitants of Monroe, in the State of Ohio.

Mr. John Quincy Adams presented a petition of Isaac Davis and 42 citizens of Worcester, in the State of Massachusetts, praying for the emancipation and education of every slave in the United States.

Mr. John Quincy Adams presented a memorial of Kinsman Atkinson and 37 males and females of Millville, in the State of Massachusetts, praying for the abolition of slavery.

Mr. Cushing presented a memorial of inhabitants of Salisbury, in the State of Massachusetts, praying for the abolition of slavery and the slave trade in the District of Columbia and between the States, and remonstrating against the admission of Florida or any new slave State into this Union, and praying also for the suppression of the slave trade between this country and Texas.

These memorials, as presented, were laid on the table, under the order of the House of the 12th instant.

Memorials remonstrating against the annexation of Texas to the Union of these States were presented as follows, viz :

By Mr. John Quincy Adams : Of women of Plympton, in the State of Massachusetts ;

Of 100 women of Barnstable, in the State of Massachusetts ;

Of 37 citizens of Ohio county, in the State of Virginia.

By Mr. Putnam : Of inhabitants of Middlebury, in the State of New York.

By Mr. Giddings : Of inhabitants of the town of Monroe, in the State of Ohio.

Ordered, That the said memorials do lie on the table.

On motion of Mr. Everett,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of granting a pension to James Tyler.

On motion of Mr. Everett,

Resolved, That the Committee on Patents be instructed to inquire into the expediency of authorizing the Commissioner of Patents to issue a patent to Oliver Perrin and John V. Faunce, on their application, filed in the Patent Office on the 1st September, 1834, and that the accompanying papers be referred to said committee.

Mr. Fillmore presented documents in relation to the case of John Mendeville ; which were committed to the Committee of the Whole House to which is committed the bill (No. 477) for his relief.

Mr. Fillmore presented a communication from the Hon. Alfred Conkling, district judge of the northern district court of New York, in relation to defects of the laws for the preservation of the peace on the borders between the United States and the British possessions.

Ordered, That so much of said communication as relates to courts and to piracy, be referred to the Committee on the Judiciary ; so much thereof as relates to neutrality, be referred to the Committee on Foreign Affairs ; and so much as relates to steamboats, be referred to the Select Committee on the subject of steamboats.

On motion of Mr. Jenifer,

Resolved, That the Committee of the Whole House on the state of the Union to which is committed the message of the President at the commencement of the session, be discharged from the consideration of so much thereof as relates to the tobacco trade with foreign nations, and that the same be referred to a select committee.

Mr. Jenifer, Mr. Coles, Mr. Shields, Mr. Howard, Mr. Harrison, Mr. Sergeant, Mr. Leadbetter, Mr. Underwood, and Mr. Johnson of Louisiana, were appointed said select committee.

On motion of Mr. Graham, of North Carolina,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a mail route from the Pleasant Gardens, in Burke county, North Carolina, by Turkey Cove, Grassy Creek, and Roach Creek, to Jonesboro', in Tennessee.

On motion of Mr. Dawson,

Ordered, That the memorial of Matthew St. Clair Clarke, agent of the State of Georgia, for the payment of a certificate of revolutionary debt, presented February 2, 1835, be referred to a select committee.

Mr. Dawson, Mr. Potter, Mr. Aycrigg, Mr. Hunter of Virginia, and Mr. Southgate, were appointed said select committee.

On motion of Mr. Harlan,

Ordered, That leave be given to withdraw the papers of Mary O'Bannon from the files of the House.

Mr. Graves presented a memorial of citizens of the city of Louisville, in the State of Kentucky, engaged in the navigation of the Mississippi and Ohio rivers by steam, setting forth the defects and the hardships and irregularities in the law passed at the last session of Congress to provide for the better security of the lives of passengers on board of boats or vessels propelled by steam, and praying that modifications and amendments may be made to said law, which modifications and amendments are set forth in said memorial; which was referred to the Select Committee on the subject of steamboat explosions.

On motion of Mr. May,

Resolved, That the Secretary of the Treasury be instructed to transmit to this House the papers in relation to the claim of Richard F. Barrete to fractional section 4, in township 4 north, in range 9 west of the 4th principal meridian in Illinois.

On motion of Mr. Miller,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of creating an additional land district in the State of Missouri, so as to embrace within the limits of said land district what is usually called the Platte country, recently annexed to said State.

On motion of Mr. Yell,

Resolved, That the Committee on Military Affairs be instructed to inquire into the propriety of so amending the act of 1836, as to authorize the Secretary of War (if, in his opinion, the defence of the Western frontier demand it) to continue the occupation of Fort Gibson; and to construe the military road on or near the western boundary-line, passing within the limits of the State of Arkansas, if the situation of the country and the good of the service require it.

On motion of Mr. Downing,

Resolved, That the Committee on Roads and Canals be instructed to inquire into the expediency of providing by law for the improvement of the navigation of the Appalachian river.

On motion of Mr. Downing,

Resolved, That the Committee of Claims be instructed to inquire into the expediency of providing by law for the payment of horses and equipments which have been turned over to the officers of the United States by mounted volunteers who served in Florida.

The Speaker presented a petition of Samuel Martin, of Tennessee, suggesting various modifications in the course of instruction at the Military Academy at West Point; and, among other things, that horses be furnished the cadets, that they may be taught horsemanship, as useful in war; and praying that the Smithsonian bequest may be made the foundation of a literary institution for the instruction of females. So much of said petition as relates to the Military Academy was referred to the Committee on Military Affairs; and so much as relates to the Smithsonian bequest, was referred to the Select Committee raised upon that subject.

Mr. Naylor presented a memorial of Abigail Dumas, widow of the late John F. Dumas, merchant of Philadelphia, deceased, praying that the claims of the estate of the said John F. Dumas, arising out of Spanish spoiliations, and which ought to have been paid out of the indemnity provided in the Florida treaty of 1819, between the United States and Spain, may now be paid by the United States; which memorial was referred to the Committee on Foreign Affairs.

On motion of Mr. Cranston,

Ordered, That the petition of Fauvel Gouraud de la Martinique, vice consul of France for the State of Rhode Island, presented May 21, 1838, be referred to the Committee of Ways and Means.

On motion of Mr. Toland,

Ordered, That the petition of John F. Ohl, presented February 22, 1827, be referred to the Committee of Ways and Means.

On motion of Mr. Cranston,

Ordered, That the petition of Elliot Smith, master of schooner Coasting Trader, and Nathan Farnsworth, master of schooner Benjamin D. Jackson, their owners and crews, presented February 14, 1838, be referred to the Committee on Commerce; also, that the petition of Lemuel C. Richmond, presented February 13, 1837, be referred to the Committee on Commerce.

On motion of Mr. Howard,

Ordered, That the petition of Samuel Hoffman, of Philadelphia, presented December 17, 1816, be referred to the Committee on Commerce.

Mr. Vanderveer presented a petition of David Griffing, of Brooklyn, in the State of New York, praying to be paid for a sloop engaged in the coasting trade, and which was destroyed by the British forces in the war of 1812; which was referred to the Committee on Commerce.

Mr. Vanderveer presented a petition of Thomas H. Dollay, of the city of Brooklyn, in the State of New York, praying compensation for various services rendered the United States in the naval and military service; which petition was referred to the Committee on Naval Affairs.

Mr. Marvin presented a petition of inhabitants of the county of Chautauque, in the State of New York, praying an appropriation for the improvement of the harbor of Van Buren, on lake Erie; which petition was referred to the Committee on Commerce.

Mr. Rencher presented a memorial of inhabitants of the counties of Orange and Chatham, in the State of North Carolina, praying Congress to mediate between France and Mexico; to act as mediator in general in the various cases in dispute between nations; to arbitrate all cases of dispute between the United States and other nations; and to propose a general congress of nations to establish a code of international law; which memorial was referred to the Committee on Foreign Affairs.

Mr. Mallory presented a petition of John Cowper, as executor of Warren Ashley, in his own right; and, also, of Warren Ashley, as assignee of Solomon Marks, jr., as trustee of James Thorburn, and in behalf of Swepson Whitehead, administrator of William Butt, assignee of Jacob Kline and of others, owners of the cargo of a certain brig called the *Bayard*, John Dickson, master, stating that the said cargo was sold by Richard W. Meade to the Spanish Government, and is merged in the claim of the representatives of said Meade against Spain, the payment whereof was compromised in the Florida treaty, and which claim is now pending against the United States, praying that the claim of the owners of said cargo may be separated from the claim of said Meade, and that the value thereof may be paid to the said owners or their representatives; which petition was referred to the Committee on Foreign Affairs.

On motion of Mr. Stanley,

Ordered, That the petition of Thomas Latham presented January 28, 1829, be referred to the Committee of Ways and Means.

The Speaker presented a petition of Samuel Martin, of Tennessee, praying that a national bank may be established, and suggesting a plan thereof; which petition was referred to the Committee of Ways and Means.

Mr. Kemble presented a petition of officers of the army of the United States at West Point, praying that the pay of the officers of artillery and infantry may be increased so as to place these officers on an equality with officers of other corps or arms of the service, as established by the act of July 5, 1838; which petition was referred to the Committee on Military Affairs.

Mr. Spencer presented a petition of the Tuscarawas nation of Indians, in the State of New York, setting forth that in a treaty made between the United States and said Indians on the 15th of January, 1838, it was stipulated that the United States should pay to them three thousand dollars, conditioned that said Indians should remove to the West, and praying that the sum of one thousand dollars may be advanced before removal, to pay the debts of said Indians; which petition was referred to the Committee on Indian Affairs.

Mr. Ridgway presented a memorial from the Genesee yearly meeting of the Society of Friends of the State of New York and parts adjacent, setting forth that they have assisted the Seneca tribe of Indians in said States, in divers ways, and remonstrating against the removal of those Indians, and the enforcement of a treaty recently made with a small portion of that tribe; which memorial was referred to the Committee on Indian Affairs.

On motion of Mr. Underwood,

Ordered, That the petition of the heirs and representatives of James Rumsey, deceased, presented 21st March, 1836, be referred to a select committee.

Mr. Underwood, Mr. Hawes, Mr. Lewis, Mr. Jenifer, Mr. Holt, Mr. Miller, and Mr. Boon, were appointed said select committee.

Mr. Allen, of Vermont, presented a petition of Lyman King, of Burlington, in the State of Vermont, praying remuneration for a certain lot of pine timber which was taken by the officers of the customs in the year 1808, near the town of Champlain, in the State of New York, and which was afterwards used by the troops of the United States.

Mr. Fillmore presented a petition of Abraham Forbes, of the county

Erie, in the State of New York, praying additional compensation for his services as a spy in the war of 1812.

Mr. Bronson presented a petition of Gilbert Vrooman, of Jefferson county, in the State of New York, one of the heirs at law of Peter Vrooman, deceased, praying remuneration for provisions furnished to the United States troops during the war of 1812 with Great Britain.

Mr. Russell presented a petition of Michael Johnson, of Rutland county, in the State of Vermont, praying remuneration for provisions and clothing furnished to the troops of the United States stationed at Plattsburg during the war of 1812 with Great Britain.

Mr. Mitchell presented a petition of George Ash, of the county of Niagara, in the State of New York, praying remuneration for property destroyed by the British during the war of 1812 with Great Britain.

Mr. Mitchell presented a petition of Gilbert Howell, of the county of Orleans, and State of New York, praying remuneration for services rendered and sacrifices incurred during the war of 1812 with Great Britain.

Mr. Edwards presented a petition of Peter C. Fox, of the county of Montgomery, in the State of New York, praying compensation for aid and services rendered to sick soldiers during the war of 1812 with Great Britain.

Mr. Henry presented a petition of Jonathan Davis, of Mercer county, in the State of Pennsylvania, praying remuneration for certain property taken from him in Upper Canada, for the use of the United States army at Fort Erie during the war of 1812 with Great Britain.

Mr. Ogle presented a petition of Ann Temple Greene, one of the heirs of the late Samuel Nicholson, who was an officer in the navy of the United States for many years, praying for arrearages of pay due to her ancestor.

Mr. Ogle presented additional testimony in the case of Abraham Morrison, of the State of Pennsylvania.

Mr. Howard presented a petition of the heirs of James Maglenen, late of the city of Baltimore, in the State of Maryland, deceased, who was a private in Captain Horton's troop of light-horse volunteers at Baltimore in the war of 1812 with Great Britain, praying payment for property lost during said war.

Mr. Glascock presented a petition of Joel Martin, an assistant surgeon in the army of the United States, praying payment for property lost by the bursting of a steamboat boiler on the 17th of December last, while on his way to Florida, in conformity with the orders from the War Department.

Mr. Harlan presented a petition of William Hunter, a clerk in the office of the Fourth Auditor, having in charge the registering of the requisitions of the Navy Department on the Secretary of the Treasury, praying remuneration for extra services.

Mr. Southgate presented documents in support of a claim of Robert Wallace for the payment for property lost in the war of 1812 with Great Britain.

Mr. Underwood presented a petition of Robert Davis, of the State of Kentucky, praying payment for a horse lost in the service of the United States in the year 1818.

Mr. Turney presented a petition of Joseph Jackson, of the State of Tennessee, praying payment for two horses and equipages lost while in the service of the United States as a mounted volunteer in Florida.

Mr. Jenifer presented a petition of Henry Waller, of the State of New York, praying remuneration for the loss of his property destroyed by the enemy during the war of 1812 with Great Britain.

Mr. Joseph L. Williams presented a petition of Joseph L. Milligan, praying compensation for damages sustained in the year 1832 in consequence of the troops of the United States taking possession of his property situated upon the Unica road in the Cherokee nation.

Mr. Giddings presented a petition of John Metcalf, of the State of Ohio, praying remuneration for goods which were on board of the schooner Tempest when she was taken on lake Erie in the year 1814, and impressed into the service of the United States.

Mr. Giddings presented a petition of Isaac Cook, Peletiah Shepherd, and Benjamin A. Napier, of the State of Ohio, owners of the schooner Tempest, which was impressed into the service of the United States in the year 1814, praying remuneration therefor.

Mr. Giddings presented a petition of Samuel Hendry, Levi Gaylord, and Roger Nettleton, praying remuneration for services rendered under Brigadier General Simon Perkins in the year 1812.

Mr. Snyder presented a petition of Major William Stout, of St. Clair county, in the State of Illinois, praying payment for a horse captured by the Indians in the year 1813, while he was in the service of the United States.

Mr. Lewis presented a petition of the officers and privates of Major Lauderdale's battalion, praying payment for their horses and equipages which were turned over to the United States by order of their commanding officer.

Mr. Yell presented documentary testimony in support of the claim of Joseph M. Shepherd for a horse lost while in the service of the United States.

Mr. Downing presented a claim of the militia who served under General Hernandez in the first Florida campaign, for pay for their services.

Mr. Downing presented a petition of citizens of Florida, praying remuneration for depredations committed upon their property by the Indians.

Mr. Downing presented documents in support of the claim of the owners of the steamer "Native Georgian," which was chartered to convey a detachment of Tennessee volunteers in the service of the United States from Appalachicola to Tampabay.

Ordered, That the said petitions and documents be referred to the Committee of Claims.

The undermentioned petitions, heretofore presented, were again presented, and referred to the Committee of Claims, viz :

By Mr. Jenifer : The petition of Benedict J. Heard, presented January 8, 1836.

By Mr. Jenifer : The petition of Alexander Somerville, presented March 7, 1836.

By Mr. Jenifer : The petition of Richard Mackall, presented March 7, 1836.

By Mr. Jenifer : The petition of Colonel John Broome, presented December 13, 1837.

By Mr. De Graff : The petition of John McIntyre *et al.*, presented February 1, 1820.

By Mr. Ridgway : The petition of John H. Robinson, presented January 20, 1820.

By Mr. Graves : The petition of Isaac and Samuel Bell, presented December 14, 1837.

By Mr. Harrison : The petition of James B. Wills, presented February 14, 1838.

By Mr. Downing : The petition of William G. Sanders, presented December 20, 1836.

By Mr. Jones, of Wisconsin : The petition of Thomas W. Taylor, presented December 29, 1835.

By Mr. Isaac Fletcher : The petition of John McLeran, presented February 14, 1838.

By Mr. Thomas : The petition of David Himes, presented March 12, 1838.

By Mr. Bronson : The petition of William Tryon, presented March 29, 1830.

Mr. Vail presented a petition of Benjamin Heartt, of the city of Troy and State of New York, late postmaster at Bridport, in the State of Vermont, praying an allowance for his suffering and loss of time in consequence of being imprisoned upon a judgment unjustly obtained in favor of the United States, for the recovery of an alleged balance against him as postmaster.

Mr. Legare presented a presentment of the grand jury of the circuit court of the United States for South Carolina district, made at the November term of said court in 1838, in relation to the inadequate compensation of the district attorney, marshal, clerk, jurors, and witnesses of said court.

Mr. Ewing presented a memorial of Ephriam Owen, jr., late of the State of Indiana, and now of Davis county, in the State of Missouri, praying that the people called Mormons may be protected in the enjoyment of their rights and property as citizens of the United States.

Mr. Downing presented a memorial of citizens of St. Joseph, in the Territory of Florida, praying an appropriation for the erection of a courthouse and jail in the county of Franklin, in said Territory, thereby relieving the citizens thereof from the grievance of travelling to Appalachicola to serve as jurors.

Ordered, That the said petition, presentment, and memorial be referred to the Committee on the Judiciary.

Mr. Jones, of Wisconsin, presented a memorial of the Legislature of the Territory of Wisconsin, praying that three thousand stand of arms may be deposited within the Territory, for the use and defence of the citizens thereof.

Mr. Crockett presented a memorial of Joel Henry Dyer, of the State of Tennessee, praying compensation for services as judge advocate in the Florida war.

Ordered, That the said memorials be referred to the Committee on Military Affairs.

Mr. Jones, of Wisconsin, presented a memorial of the Legislature of the Territory of Wisconsin, praying appropriations for the construction of harbors, the improvement of rivers, and the completion of the military road from Chicago to Green Bay, in said Territory ; which memorial was referred to the Committee on Commerce.

Mr. Harrison presented a petition of the trustees of the town of St. Charles, in the State of Missouri, praying an appropriation for the surveying of the commons and common field lots granted to said town by act of Congress; which petition was referred to the Committee of Ways and Means.

Mr. Peck presented three petitions of citizens of the counties of Livingston, Allegany, and Cattaraugus, in the State of New York, praying for the improvement of the navigation of the Allegany river.

Mr. Marvin presented a like petition of citizens of Cattaraugus county, in the State of New York.

Mr. Parker presented a like petition of citizens of McKean county, in the State of Pennsylvania.

Mr. Plumer presented a like petition of citizens of Venango county, in the State of Pennsylvania.

Mr. Samuel W. Morris presented a like petition of citizens of McKean county, in the State of Pennsylvania.

Mr. Stone presented a petition of Samuel Martin, of Campbell's Station, in the State of Tennessee, praying an appropriation for widening the Luck in the Cumberland mountain, through which the Tennessee river passes; and also for the survey of a route for a canal or railroad from the mouth of Battle creek to the three forks of Duck river.

Mr. Downing presented a petition of inhabitants of East Florida, praying an appropriation of ten thousand dollars for opening a road upon the south side of the river St. John's, in Duval county, to run from Crawford, opposite the town of Jacksonville, to the light-house at the mouth of said river, near San-Pablo post office.

Mr. Jones, of Wisconsin, presented resolutions adopted at a public meeting of inhabitants of Mineral Point, in favor of a donation of land for the improvement of the navigation of the Pekatonica river.

Mr. Jones, of Wisconsin, presented a petition of citizens of the Territory of Wisconsin, praying for the construction of a railroad from lake Michigan to some point on the Mississippi river.

Ordered, That the said petitions be referred to the Committee on Roads and Canals.

Mr. Henry presented a petition of Andrew Logan, of Scott county, in the Territory of Iowa, praying for a donation of two sections of land in said Territory, to aid him in the manufacture of silk.

Mr. Chapman presented a like petition of Andrew Logan.

Ordered, That the said petitions be referred to the Committee on Manufactures.

Mr. Crary presented a petition of sundry citizens of New Buffalo, in the State of Michigan, (at the mouth of Galena river,) praying for the improvement of the New-Buffalo harbor.

Mr. Downing presented a remonstrance of William A. Whitehead, of Florida, in behalf of the merchants and others of the collection district of Key West, remonstrating against the establishment of a port of entry at Indian Key.

Mr. Downing presented a like remonstrance of citizens of Monroe county, in the southern district of Florida.

Mr. Lyon presented the petition of the president and directors of the Mobile and Cedar-Point Railroad Company, praying the erection of a light-house at Cedar Point, presented heretofore March 23, 1838.

Mr. Tillinghast presented the petition of Caleb Williams and Stephen W. Hunt, presented heretofore May 21, 1838.

Ordered, That the said petitions and memorials be referred to the Committee on Commerce.

Mr. Harrison presented a petition of Frances River, of the State of Missouri, administratrix of Joseph River, deceased, praying remuneration for Indian depredations.

Mr. Harrison presented a petition of Robert Johnson, of the State of Missouri, administrator of the estate of Louis Roy, praying remuneration for Indian depredations.

Mr. Harrison presented a petition of Jacob Groom and John Sneathen, of the State of Missouri, praying remuneration for Indian depredations.

Mr. Harrison presented a petition of Thomas Talbot, William Wolfkill, Elisha Stanley, James Collins, Edwin M. Ryland, James Fielding, and Solomon Houck, of the State of Missouri, praying remuneration for Indian depredations.

Ordered, That the said petitions be referred to the Committee on Indian Affairs.

Mr. Cranston presented a petition of Mary M. Telfair and Elizabeth Pearce, heirs at law of Israel Pearce, deceased, late of Providence, in the State of Rhode Island, praying that certain claims to bounty land due soldiers of the revolutionary army, and which were assigned to said Israel Pearce, may be made good to them.

Mr. Holt presented a petition of Lucy Strange, daughter of Eliphalet Spafford, a soldier in the war of the Revolution, praying to be allowed the bounty in land to which her said father was entitled.

Mr. Grant presented a petition of the heirs of Eli Parsons, praying to be allowed and paid the amount due on a certificate given to said Parsons in 1779, for his services as commissary general in the revolutionary war.

Mr. Henry presented (with additional documents) the petition of Margaret Patterson, heir and representative of Lieutenant William McMellen, heretofore presented on the 18th of May, 1838, praying to be allowed and paid the commutation pay promised by resolutions of the old Congress, to which he (the said McMellen) was entitled for his services as an officer in the revolutionary war.

Mr. Milligan presented the petition of James Robinson and his wife, daughter and only representative of Richard Wild, a lieutenant in the war of the Revolution, praying to be allowed and paid interest on the amount allowed by an act of Congress passed on the 15th of June, 1836.

Mr. Craig presented a petition of Hannah Olds, of the town of Sheffield, in the State of Massachusetts, widow of Thomas Stevenson, a lieutenant in the army of the Revolution, and who died while in service in 1776, praying to be allowed the seven years' half pay promised by resolutions of the old Congress.

Mr. Christopher H. Williams presented a petition of Vincent Vass, praying to be allowed bounty land for his services as a soldier in the army of the Revolution.

Mr. Taliaferro presented a petition of the heirs of Captain John Thomas, of the Virginia State navy during the Revolution, praying to be allowed the half pay to which they conceive their ancestor was entitled in the capacity aforesaid.

Mr. Taliaferro presented a petition of the heirs of Stephen Graham, a

surgeon's mate in the war of the Revolution, praying to be allowed the commutation pay promised by resolutions of the old Congress.

Mr. Taliaferro presented a petition of the heirs of Captain Clough Shelton, of the Virginia continental line, praying to be allowed the commutation pay to which they conceive their ancestor was entitled for his services in the revolutionary war.

Mr. Taliaferro presented a petition of Edward Field and others, heirs of Nathan Leavenworth, who was a surgeon's mate in the war of the Revolution, praying to be allowed the commutation pay to which they conceive he was entitled.

Mr. Banks presented a memorial of the legal representatives of Alexander Dick, deceased, a native of Fredericksburg, in the State of Virginia, praying for the commutation pay due to their ancestor, who was a major in the continental line of the army of the Revolution.

Mr. Crabb presented a petition of Thomas Keates, of Tuscaloosa county, in the State of Alabama, praying for arrearages of pay due him for his revolutionary services, and also for an increase of the pension which he is now in the receipt of.

Mr. Dawson presented papers in the case of Marcus Hemphill, for remuneration for the services of his father, Samuel Hemphill, who was a smith and farrier in Captain Jonas Fauch's troop of Georgia militia dragoons from the 14th to the 30th of July, 1794.

Ordered, That the said several petitions be referred to the Committee on Revolutionary Claims.

The undermentioned petitions, heretofore presented, were again presented, and referred to the Committee on Revolutionary Claims, viz :

By Mr. Garland, of Virginia : The petition of Samuel Gay, heir of Doctor Samuel Gay, of Virginia, presented January 18, 1836.

By Mr. Bond : The petition of John Searborough, presented March 1, 1836.

By Mr. Henry : The petition of the heirs of Robert Vance, presented March 12, 1838.

By Mr. Banks : The petition of the representatives of William Slaughter, presented June 12, 1838.

By Mr. Garland, of Virginia : The petition of Thomas Massie, presented December 16, 1833.

By Mr. Carter : The petition of the heirs of Abraham Tipton, presented February 9, 1835.

By Mr. Tillinghast : The petition of Benjamin Wright, presented June 27, 1838.

By Mr. Mallory : The petition of the heirs of Joseph Simon Petis, presented January 15, 1838.

Mr. Parker presented a memorial of John Martin Baker, late consul at Rio de Janeiro, and at present residing in the city of Washington, praying compensation for his diplomatic services; which memorial was referred to the Committee on Foreign Affairs.

On motion of Mr. Sibley,

Resolved, That the Committee on Revolutionary Pensions inquire into the expediency of granting a pension to widow Phebe Harrington, of the county of Ontario, in the State of New York.

Mr. Jones, of New York, presented a petition of Benjamin Eaton, of said State, a revolutionary soldier, praying for an increase of pension.

Mr. Marvin presented a petition of Abijah Hitchcock, a soldier of the Revolution, praying for an increase of pension.

Mr. Russell presented a petition of Susannah Lilley, widow of Emmons Lilley, a soldier of the Revolution, praying for a continuance of her late husband's pension.

Mr. Hoffman presented a petition of Amos Rooke, of Richmond county, in the State of New York, a soldier of the Revolution, praying for a pension.

Mr. Mitchell presented a petition of Patrick Horn, a soldier of the Revolution, praying for a pension.

Mr. Putnam presented a petition of Barbara Burnham, widow of John Burnham, a revolutionary pensioner, praying for a continuance of her late husband's pension.

Mr. Yorke presented the petition and papers of Sarah Crawford, of Cape-May county, State of New Jersey, widow of Richard Crawford, a soldier of the Revolution, praying for a pension.

Mr. Ogle presented a petition of Elizabeth Hill, widow of Frederick Hill, late of Bedford county, Pennsylvania, praying for a continuance of the pension heretofore granted to her late husband for revolutionary services.

Mr. Howard presented a petition of Leah Munday, widow of William Munday, late of Baltimore, in the State of Maryland, deceased, praying for a pension in consideration of services rendered by her said husband as an officer of the Revolution.

Mr. Howard presented a petition of Mary McCurdy, daughter of Barbara Mudd, praying for arrearages of pension granted to her late mother in consideration of the revolutionary services of her husband, Sergeant Jeremiah Mudd, deceased.

Mr. W. C. Johnson presented a petition and papers of Frederick Wilheid, Henry Wilheid, John Wilheid, Lewis Wilheid, and others, heirs at law of Frederick Wilheid, deceased, a soldier of the Revolution, praying for arrearages of pension.

Mr. Beirne presented a petition of Valentine Miller, of the county of Monroe, State of Virginia, a soldier of the Revolution, praying for a pension.

Mr. Beirne also presented additional testimony in support of the claim of John Smith, a soldier of the Revolution, praying for a pension.

Mr. Adams presented a petition of Mehitable Mumford, of Newport, State of Rhode Island, daughter and only surviving child of Charles Handy, jr., an officer of the Revolution, praying for a pension.

Mr. Tillinghast presented a petition of Elisha Dillingham, a soldier of the Revolution, praying for arrearages of pension.

Mr. Tillinghast presented a petition of Phebe Peck, of Smithfield, State of Rhode Island, widow of George Peck, deceased, an officer of the Revolution, praying for a pension.

Mr. Tillinghast presented a petition of Allen Wardwell, of Bristol, in the State of Rhode Island, praying for a pension for services rendered and losses incurred during the revolutionary war.

Mr. Cranston presented a petition of Thruston Cornell, of Tiverton, in the county of Newport and State of Rhode Island, a soldier of the Revolution, praying for a pension.

Mr. Whittlesey presented a petition of Esther Parrott, of the town of

Bridgeport, county of Fairfield and State of Connecticut, widow of Jonathan Wakelee, a soldier of the Revolution, praying for a pension.

Mr. Whittlesey presented a petition of Huldah Farlow, of Newtown, county of Fairfield and State of Connecticut, widow of Joseph Moger, a soldier of the Revolution, praying for a pension.

Mr. Whittlesey presented a petition of Edmond Leavenworth, of the town of Derby, in the county of New Haven, State of Connecticut, a soldier of the Revolution, praying for a pension.

Mr. Whittlesey presented a petition of Ellen Turney, of the town of Fairfield, in the county of Fairfield, State of Connecticut, widow of Samuel Squires, deceased, in whose right she asks a pension in consideration for services rendered as a revolutionary officer.

Mr. Haley presented a petition of Samuel Edgecomb, of Groton, in the county of New London, State of Connecticut, a soldier of the Revolution, praying for an increase of pension.

Mr. Haley presented a petition of Esther Culver, of Groton, in the county of New London, State of Connecticut, widow of Moses Jones, a soldier of the Revolution, praying for a pension.

Mr. Holt presented a petition of Esther Clearland, widow of Moses Clearland, of the State of Connecticut, deceased, a captain in the army of the Revolution, praying for a pension.

Mr. Holt presented a petition of Benjamin Bibbens, a soldier of the Revolution, praying for a pension.

Mr. Slade presented a petition of Paoli Wells, of Manchester, in the county of Bennington, State of Vermont, a soldier of the Revolution, praying for a pension.

Mr. H. Allen presented a petition of Martha Ingersoll, of Chittenden county, in the State of Vermont, widow of George Ingersoll, deceased, an officer of the Revolution, praying for a pension.

Mr. H. Allen presented a petition of Patience Smith, of Shelburne, in the county of Chittenden and State of Vermont, widow of Gideon Smith, deceased, a soldier of the Revolution, praying for a pension.

Mr. Fillmore presented a petition of Cornelius Phelps, of the town of Evans, in the county of Erie and State of New York, a soldier of the Revolution, praying for arrears of pension.

Mr. Kemble presented a petition of Sarah Oakley, widow of Cornelius Oakley, late of the town of White Plains, in the county of West Chester and State of New York, a soldier of the Revolution, praying for a pension.

Mr. Taylor presented a petition of John Depuy, of the town of Manlius, in the State of New York, a soldier of the Revolution, praying for a restoration of pension.

Mr. Beers presented a petition of Nathan Baldwin, of Tompkins county, State of New York, a soldier of the Revolution, praying for a pension.

Mr. Vail presented a petition of Mercy Welman, of the town of Brunswick, county of Rensselaer and State of New York, widow of Aquilla Cleveland, deceased, a soldier of the Revolution, praying for a pension.

Mr. Vail presented a petition of Moses Dusenberry, of the town of Brunswick, county of Rensselaer and State of New York, a soldier of the Revolution, praying for a pension.

Mr. H. Allen presented a petition of Nehemiah Phillips, of Wheelock,

in the county of Cumberland and State of Vermont, a soldier of the Revolution, praying for arrears and increase of pension.

Ordered, That the said petitions be referred to the Committee on Revolutionary Pensions.

On motion of Mr. Ewing,

Ordered, That the case of Daniel Strother, presented to the House on the 7th of April, 1834, be referred to the Committee on Revolutionary Pensions.

Mr. Bronson presented a petition of Conrad Watts, of the county of Jefferson, in the State of New York, presented December 12, 1837; which was referred to the Committee on Revolutionary Pensions.

Mr. H. Allen presented a petition of Merrill Pillsbury, of Albany, in the county of Orleans and State of Vermont, a soldier in the late war with Great Britain, praying for arrears of pension.

Mr. H. Allen presented a petition of Joseph Hackett, of Columbia, in the county of Coos and State of New Hampshire, a soldier in the late war with Great Britain, praying for an increase of pension.

Mr. H. Allen presented a petition of Aden Bartlett, of Bloomfield, in the county of Essex and State of Vermont, a soldier in the late war with Great Britain, praying an increase of pension.

Mr. Calvary Morris presented a petition of Job Wood, of the county of Randolph and State of Virginia, a soldier in the late war with Great Britain, praying for a pension.

Mr. Tillinghast presented a petition of Charles Scott, of Cumberland, in the State of Rhode Island, an invalid pensioner, praying an increase of pension.

Mr. Toucey presented a petition of Major Charles Larrabee, of New Haven, in the State of Connecticut, an officer in the late war with Great Britain, praying for arrears of pension.

Mr. Haley presented a petition of Gilbert Sprague Fish, of Glastonbury, in the State of Connecticut, a soldier in the late war with Great Britain, praying for a pension.

Mr. Graves presented a petition of Captain James Hunter, an officer in the late war with Great Britain, praying for a pension.

Mr. H. Allen presented a petition of Seth Willey, of Cambridge, in the county of Lamouille and State of Vermont, a soldier in the late war with Great Britain, praying for a pension.

Mr. Carter presented a petition of John Aston, a soldier in the late war with Great Britain, praying for a pension.

Mr. Bronson presented a petition of James Cummings, of Cape Vincent, in the county of Jefferson and State of New York, a soldier in the late war with Great Britain, praying for a pension.

Mr. McClellan, of New York, presented a petition of Lyman Bristol, of the town of Canaan, in the county of Columbia and State of New York, a soldier of the late war with Great Britain, praying for a pension.

Mr. Hoffman presented a petition of Sarah Hildreth, of the town of Newburg, in the county of Orange and State of New York, widow of John Hildreth, deceased, a soldier in the late war with Great Britain, praying for a pension.

Mr. Mitchell presented a petition of Barnabas Cary, a soldier in the late war with Great Britain, praying for a pension.

Mr. Noble presented a petition of David Bartlett, a soldier in the late war with Great Britain, praying for an increase of pension.

Mr. Henry presented a petition of William Scott, of Beaver county, in the State of Pennsylvania, a militia soldier in the late war with Great Britain, praying for a pension.

Mr. Hammond presented a petition of John Clark, a soldier in the late war with Great Britain, praying for a pension.

Mr. Naylor presented a petition of Thomas Flanagan, of the city of Philadelphia, a soldier in the army of the United States in the year 1798, praying for a pension.

Mr. Ogle presented a petition of Peter Huston, of Somerset, in the county of Somerset and State of Pennsylvania, a lieutenant in a volunteer company during the late war with Great Britain, praying for a pension.

Mr. Howard presented a petition of Levi Collmus, of the city of Baltimore, a soldier in the late war with Great Britain, praying for a pension.

Mr. Kennedy presented a petition of Samuel Day, a sergeant in the late war with Great Britain, praying for arrearages of pension.

Mr. Beirne presented a petition of James McLaughlin, of Greenbrier county, in the State of Virginia, a soldier in the late war with Great Britain, praying for an increase of pension.

Mr. Legare presented a petition of Brevet Brigadier General J. R. Fenwick, of the army of the United States, praying for a pension for wounds received in the late war with Great Britain.

Mr. Carter presented a petition of Jacob Headerick, a soldier in the late war with Great Britain, praying for a pension.

Mr. Calvary Morris presented a petition of Mathias Angell, of Gallia county, in the State of Ohio, a soldier in the late war with Great Britain, praying for a pension.

Mr. J. W. Allen presented a petition of Baltzer H. Shellhorn, an invalid prisoner, praying for arrears of pension.

Mr. Ewing presented a petition of Jacob Euler, a sergeant in the late war with Great Britain, praying for a pension.

Mr. Dunn presented a petition of John Deans, of the county of Dearborn, in the State of Indiana, a soldier of the late war with Great Britain, praying for a pension.

Mr. Harrison presented a petition of Captain James Duncan, late of the 17th regiment of United States infantry, praying for a pension.

Mr. Harrison presented a petition of Orris Call, of the county of Geauga, in the State of Ohio, a soldier in the late war with Great Britain, praying for a pension.

Mr. Harrison presented a petition of James Allen, of the county of Calloway, in the State of Missouri, a soldier in the late war with Great Britain, praying for a pension.

Ordered, That the said petitions be referred to the Committee on Invalid Pensions.

Mr. Taliaferro presented a petition of Susan Patton, of the District of Columbia, widow of William Patton, who was killed in the war in the year of 1814, praying for a pension and bounty land for herself and children.

Mr. Sherrod Williams presented documents in relation to the claim of

Dennis Trammel, of Campbell county, in the State of Tennessee, for a pension.

Mr. Samson Mason presented a petition of Ensign Mitchell, of the State of Ohio, praying for a revolutionary pension.

Mr. Calvary Morris presented a petition of Isaac Moss, of the State of Ohio, praying for an increase of pension.

Mr. Goode presented a petition of William F. R. Davis, sen., of the State of Ohio, praying for a revolutionary pension.

Mr. William Graham presented a petition of Zalmon Burnett, of the State of Ohio, praying for an increase of pension.

Mr. Calvary Morris presented a petition of Samuel Campbell, of the State of Ohio, heretofore presented January 18, 1838.

Mr. Taliaferro presented a petition of Dorothy Buckner, of Virginia, praying to be allowed five years' pension under the law of 7th July, 1838.

Ordered, That said petitions and papers be referred to the Committee on Revolutionary Pensions.

Mr. Calvary Morris presented the application and papers of William Brown, of Ohio, for bounty land; which were referred to the Committee on Private Land Claims.

Mr. Campbell, of Tennessee, presented the petition of John Ditty, heretofore presented June 13, 1838; which was referred to the Committee on Revolutionary Claims.

Mr. Shields presented the petition of William Smith, heretofore presented May 18, 1838, which was referred to the Committee on Indian Affairs.

Mr. Haley presented a petition of Bradford Phillips, of the town of North Stonington, in the county of New London and State of Connecticut, praying for a pension for services rendered and injuries received on board the ship Madison, on lake Ontario, in the late war with Great Britain.

Mr. Haley presented a memorial of Edmund Fanning, a citizen of the United States, and brother of Lieutenant Nathaniel Fanning, of the United States navy, deceased, praying that the prize-money due to his late brother, from prizes captured by the ships of war Good-man Richard, Alliance, and Ariel, under the command of Commodore John Paul Jones, in the revolutionary war, while he served on board of them as a midshipman, may be paid to him, as agent of the heirs. Also, that a gold medal be struck, with an appropriate device, and presented to Lavina Fanning, now Lavina Smith, wife of Nathan Smith, of Groton, in the county of New London and State of Connecticut, the only child and daughter of the said Lieutenant Nathaniel Fanning, deceased, as due to the bravery and service of this praiseworthy officer, who perished on duty while serving his country.

Mr. Kemble presented a petition of Daniel T. Patterson, a captain in the navy of the United States, praying to be allowed certain expenses necessarily incurred by him while commanding the United States naval forces in the Mediterranean sea.

Mr. Kennedy presented a petition of Ann E. Lawder and George Lawder, of Baltimore, praying that the pension of their late father, George Lawder, may be continued to them, his helpless and destitute children.

Mr. Jenifer presented a petition of Jacob Marks, praying for an increase of his pension, and that he may be allowed at the rate of one-half of a permanent total disability.

Mr. Garland, of Virginia, presented a petition of Joseph P. McCorkle, praying that he may be allowed the balance of certain appropriations for clerks in the office of the Board of Navy Commissioners, for services rendered as a clerk in said office in 1832, '33, and '34.

Mr. Legare presented a memorial of the Charleston Chamber of Commerce, praying the establishment of nautical schools.

Mr. Haynes presented a petition of Captains Twiggs and Edelin, for themselves and other officers of the marine corps, praying the passage of an act explanatory of the act of June 30, 1834, touching the pay and emoluments of the officers of said corps.

Mr. Cranston presented a petition of Nancy Tompkins, heretofore presented January 4, 1831.

Mr. Cranston presented a petition of Zebulon Wade, heretofore presented December 12, 1836.

Mr. McKennan presented a petition of Andrew Marks, heretofore presented June 18, 1838.

Ordered, That the said petitions and memorials be referred to the Committee on Naval Affairs.

Mr. Howard presented a petition of certain mechanics and workmen, heretofore employed on the new Treasury building, and whose employment had been suspended by a resolution of Congress, praying indemnity for loss of time while the work was suspended; which was referred to the Committee on Public Buildings and Grounds.

Mr. Menefee presented a memorial of Henry M. Shreve, praying the passage of a law to authorize the purchase of his patent-right, for the use of Government, for *snag-boats*, and compensate him for his various services; which was referred to the Committee on Patents.

Mr. Duncan presented a petition of the Washington Benevolent Society, praying an act of incorporation.

Mr. C. H. Williams presented a memorial of the Navy Yard Benevolent Society, praying an act of incorporation.

Mr. Jenifer presented the memorial of John P. Ingle and others, praying the passage of a law authorizing the Mayor of the city of Washington to execute deeds for property to which they are entitled.

Ordered, That the said petition and memorials be referred to the Committee for the District of Columbia.

Mr. Crabb presented a petition of citizens of Jefferson county, in the State of Alabama, praying for a post route from Jonesboro', in said county, via Isaac Fields's and Rock creek, to Jasper, in the county of Walker, in said State.

Mr. Fillmore presented a petition of citizens of Buffalo, in the State of New York, praying the repeal of that part of the law which requires postmasters to labor on Sunday.

Mr. Gray presented a petition of citizens of Chemung county, praying for a mail route from Elmira, via the west end of the town of Chemung and the head-waters of Wyncoop creek, to Van Ettanville, in Cayuga county, all in the State of New York.

Mr. Sibley presented a petition of citizens of the counties of Ontario, Livingston, and Steuben, in the State of New York, for a post route from North Coshocton, in Steuben, through the towns of Italy and Canadice, to Allen's hill, in the county of Ontario.

Mr. Hubley presented a petition of Peters, Moore, & Company, of the State of Pennsylvania, heretofore presented December 29, 1837, praying compensation for services rendered under a contract for the transportation of the mail.

Mr. Peck presented the petition of citizens of the towns of Lima, Livonia, Conesus, and Sparta, in the county of Livingston, in the State of New York, praying that the mail route from Dansville to Livonia be extended to Lima.

Mr. Hopkins presented a petition of King and Williams, of the District of Columbia, heretofore presented March 26, 1838, praying indemnity for losses sustained in a contract with the Post-Office Department.

Mr. C. H. Williams presented a petition of citizens of Henderson county, in the State of Tennessee, praying for a post route from Lexington to Savannah, in said State.

The Speaker presented a petition of John H. Sargent, of Charleston, in the State of South Carolina, praying that the franking privilege may be extended to members of State Legislatures and public authorities in the same manner it is now allowed to members of Congress.

The Speaker also presented a petition of Samuel Martin, of Campbell's station, in the State of Tennessee, praying for a revision of the post-office laws, and a reduction of postage.

Mr. Giddings presented a petition of citizens of Portage county, in the State of Ohio, praying for the repeal of the law allowing the transportation and opening the mail on the Sabbath.

Mr. John W. Allen presented a petition of citizens of the State of Ohio, praying for a post route from Cleveland to Coshocton.

Mr. Harper presented a petition of citizens of Muskingum, Coshocton, and Knox counties, in the State of Ohio, praying for a post route from Zanesville, by Bealmear's cross-roads and Frayzeysburg, in Muskingum county, West Carlisle and East Union, in Coshocton county, and thence by the most practicable and useful route, to Gambier, (Kenyon college,) in Knox county.

Mr. Goode presented a petition of citizens of Allen and Shelby counties, in the State of Ohio, praying for a post route from Port Jefferson, in Shelby county, through St. John's, in Allen county, to Lima, in said county.

Mr. Chapman presented a petition of John S. Burnett, of Cherokee county, in the State of Alabama, praying to be refunded costs paid in a suit against him as defaulting postmaster, when he was not in default.

Mr. Lewis presented a petition of citizens of Montgomery and Pike counties, in the State of Alabama, praying for a post route from Montgomery, via James M. Cook's, to Centerville, in Pike county.

Mr. Harrison presented a petition of citizens of Boone county, in the State of Missouri, praying for a post route from Columbia, in Boone county, by Younger's mills, to Mexico, in Audrain county.

Ordered, That the said petitions be referred to the Committee on the Post Office and Post Roads.

Mr. Spencer presented a petition of Robert Casy, of Fort Covington, in the State of New York, a soldier in the late war with Great Britain, who was wounded at the taking of Ogdensburg, and again at the taking of Little York, in Canada, praying for bounty land and extra pay, and that he may locate his land in the northwest section of the United States.

Mr. H. Putnam presented a petition of Marcus Spalding, of Genesee

county, in the State of New York, a Canadian volunteer in the late war with Great Britain, setting forth his services at length, and that his constitution was broken by sickness while in the service, and praying for a pension as a disabled soldier, or for bounty land.

Mr. Kennedy presented a petition of Nicholas Phelan, of the city of Baltimore, setting forth that he is nephew and only heir of John Phelan, late of Baltimore, who was a lieutenant in the army of the United States during the war of the Revolution, praying that an act may be passed by which he can obtain a scrip or warrant for the bounty land of his said uncle.

Mr. Lyon presented a petition of sundry inhabitants of the county of Mobile, in the State of Alabama, praying confirmation of title to a certain tract of land near the city of Mobile known as the "Dubroca claim."

Mr. Word presented a petition of Anthony Hutchins, J. Carson, J. H. D. Bowman, and James Edmonston, of the State of Mississippi, setting forth their ownership to certain claims to land granted by the Government of Spain to citizens then residing in Louisiana, and praying the confirmation of their claims, with authority to locate and survey said lands in the proper district of unsold lands in Louisiana.

Mr. Downing presented a petition of William Marvin, of the Territory of Florida, setting forth that he is owner of seven thousand acres of land situated in Florida; that, by absolute grant from the Spanish Government to one Bernardo Segui, in the year 1815, he became the owner thereof; afterward, one John B. Strong became the owner, by purchase, of the said land, and died, leaving his heirs minors; and the said land being sold in 1835, by order of court, to pay the debts of said Strong, the petitioner became the purchaser; and praying that the United States will release all claim to said land, and that it may be surveyed for the petitioner:

Mr. R. Garland presented a petition of William Barrow, of Louisiana, setting forth his claims to two tracts of land in the State of Louisiana, and praying to be confirmed in his titles thereto.

Ordered, That the said petitions be severally referred to the Committee on Private Land Claims.

The undermentioned petitions, report, and papers, heretofore presented, were again presented, and referred to the Committee on Private Land Claims:

By Mr. Lyon :—

The petition of William Stringer, heretofore presented February 13, 1837.

The petition of Augustin La Coste, heretofore presented March 30, 1838.

By Mr. Rice Garland :—

The petition of the inhabitants of the parish of Concordia, Louisiana, heretofore presented February 9, 1838.

The petition of Henry M. Fleury, heretofore presented February 9, 1838.

The petition of Thomas M. Burland, heretofore presented January 14, 1835.

The petition of T. F. Peterson, heretofore presented February 2, 1838.

The petition of Julia Romero and others, heretofore presented February 9, 1838.

By Mr. Rice Garland :

The petition of the heirs and legal representatives of John Grimbail, heretofore presented January 16, 1837.

The petition of A. L. Debleux, heretofore presented February 9, 1838.

The petition of Nathaniel Amory, heretofore presented March 9, 1838.

The petition of Henry Stoker, heretofore presented March 5, 1834.

The petition of Victoria Metoyer, heretofore presented January 3, 1832.

The petition of the heirs of Christopher O'Brien, heretofore presented February 9, 1838.

Report on land claims in Opelousas land district, Louisiana, heretofore presented February 9, 1838.

The petition of Madame Rosalie Prudhomme, heretofore presented February 9, 1838.

The petition of William W. Frizzell, heretofore presented February 9, 1838.

Papers relating to the land claims between the Rio Hondo and Sabine, heretofore presented March 6, 1838.

Mr. Chapman presented a petition of Isaac Morrow, of Marshall county, in the State of Alabama, praying to be allowed a pre-emption right in lieu of one of which he was deprived.

Mr. George W. Jones, of Wisconsin, presented sundry papers and documents relative to the application of the Portage Canal Company to enter, at the Government price, certain lands at the Wisconsin and Fox-river portage, in the Territory of Wisconsin.

Mr. Downing presented a petition of Harrison R. Blanchard, of the Territory of Florida, praying, for reasons set forth at great length in his petition, that he may be permitted to enter 2,500 acres of pine land, in the Territory of Florida, at Government price.

Mr. Yell presented a petition of Maurice Wright, of the State of Arkansas, setting forth certain facts by which he came into the possession of a tract of land in Arkansas, paying therefor a large sum of money; and setting forth, also, his belief that the claim of one Benjamin Harden, under whom the petitioner claims, is spurious and fraudulent; and praying that he may be authorized to enter the said land at the minimum price for which the public lands of the United States are sold.

Mr. Harrison presented a petition of Z. Martin, of the State of Missouri, praying that, in consideration of services rendered to the Government by him, he may be allowed a pre-emption right to a certain tract of land in Missouri.

Mr. Lyon presented a petition of the Selma and Tennessee Railroad Company, heretofore presented September 18, 1837.

Mr. Casey presented a petition of citizens of Edwards county, Illinois, praying for a grant of land to aid in the construction of the Mount-Carmel and New-Albany railroad.

Mr. Word presented a memorial of the Legislature of the State of Mississippi, praying that Congress will pass an act confirming certain pre-emption claims in said State.

Mr. Rice Garland presented a memorial of citizens of the State of Louisiana, praying for an appropriation of seventy-eight thousand six

hundred dollars, to be placed in the hands of Hezekiah Bagerly, of said State, for the purpose of making a levee on the south bank of Red river, from Alexandria to the high land of the Avoyelles prairie, a distance of about forty miles; the said Bagerly to receive the money as the work advances.

Mr. Goode presented a petition of Simon Whetstone, of the county of Allen, in the State of Ohio, praying for a right of pre-emption to certain lands.

Mr. Goode presented a petition of Samuel Washburne and George W. Cochran, of Putnam county, in the State of Ohio, praying for a pre-emption right to certain lands in said State.

Mr. Goode presented a petition of T. O. Dahling, of Putnam county, in the State of Ohio, praying for a right of pre-emption to certain land in said State.

Mr. Taliaferro presented a petition of Cadwallader Wallace and others, claimants of lands under Virginia military warrants, lying between Roberts's and Ludlow's lines, and between Roberts's line and the Sciota river, in the State of Ohio, proposing to exchange the lands thus claimed by them for other lands of the United States of equal value.

Mr. Shields presented a petition of John Campbell and others, of the State of Tennessee, heirs of William Williams, senior, deceased, a soldier in the army of the United States, setting forth that the said Williams received a grant of 160 acres of land in the Territory of Arkansas, which has been proved unfit for cultivation, and praying to be granted "a float," or the privilege of *lifting* said warrant, that they may lay it on some other unappropriated land fit for cultivation.

Mr. Sherrod Williams presented a petition of Isaac Atkins, of Pulaski county, in the State of Kentucky, praying that, in consideration of injuries received by a blast while engaged in the public service, he may be granted a section of land in some of the Western States.

Ordered, That the said petitions, memorials, and papers, be referred to the Committee on the Public Lands.

The undermentioned petitions, heretofore presented, were again presented, and referred to the Committee on the Public Lands:

By Mr. Harrison: The petition of Airs Hudspeth, heretofore presented March 12, 1838.

By Mr. Chapman:—

The petition of Isaac Morrow, heretofore presented December 18, 1837.

The petition of citizens of Benton county, in the State of Alabama, for the removal of the land office from Mardisville to Jacksonville, heretofore presented January 23, 1837.

The petition of inhabitants of Jackson county, for the same, heretofore presented March 19, 1836.

The petition of citizens of Cherokee county, for the same, heretofore presented February 13, 1837.

The petition of Elisha Moreland and others, praying for confirmation of a pre-emption right to land in the State of Alabama, heretofore presented in the Senate May 14, 1836, and acted upon in the House March 31, 1838.

The petition of inhabitants of Cherokee county, praying for a new land district and pre-emption rights, heretofore presented February 14, 1838.

By Mr. Chapman:—

The petition of inhabitants of same county, for same object, heretofore presented December 14, 1837.

The petition of inhabitants of Cherokee county, protesting against a grant of land in that county to General Taylor, to build iron-works, heretofore presented September 26, 1837, and referred December 14, 1837.

By Mr. Ewing: The petition of D. S. Chambers, heretofore presented January 15, 1838.

By Mr. Herod: Papers relating to certain lands in the State of Indiana, accompanied by a resolution of the House of March 26, 1838, referring the same subject to the same committee.

By Mr. Lyon: The petition of inhabitants of Clark county, Alabama, praying that certain lands reserved for naval purposes may be disposed of as other public lands, heretofore presented April 26, 1838.

By Mr. Jones, of Wisconsin: The memorial of the Legislature of Wisconsin, praying that the right of pre-emption may be granted to the occupants of mineral lands, heretofore presented December 29, 1837.

Mr. Toland presented a memorial of citizens of the State of Pennsylvania, manufacturers of starch, praying that a duty of seven cents a pound may be imposed upon imported starch; which memorial was laid upon the table.

Mr. White, of Indiana, presented a memorial of citizens of Milwaukee, in the Territory of Wisconsin, remonstrating against the confirmation of Levanture, Childs, and Thompson's claim to certain lots of land at Milwaukee; which memorial was laid upon the table.

On motion of Mr. Mercer,

Resolved, That the case of James B. Rice, referred, at the last session of Congress, by resolution, to the Committee on Revolutionary Claims, be again referred to the said committee.

On motion of Mr. Johnson, of Louisiana,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of reducing the fees allowed by law to the clerks, marshals, and district attorneys of the United States courts for the State of Louisiana, so as to correspond with the fees allowed for similar services in the State courts of said State.

On motion of Mr. Garland, of Virginia,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of paying John Housewright, a contractor on mail route No. 1965, in Virginia, for expenses incurred by a change in the arrival and departure of the mails on that route, made after the contract was made and the commencement of his services.

Two messages, in writing, were received from the President of the United States, by Mr. Martin Van Buren, jr., his private secretary:

FIRST MESSAGE.

To the House of Representatives:

I have the honor to transmit herewith additional letters and documents embraced in the resolution of the House of Representatives of the 17th instant.

M. VAN BUREN.

WASHINGTON, December 20, 1838.

The said message was read, and ordered to lie on the table.

SECOND MESSAGE.

To the House of Representatives :

An important difference of opinion having arisen concerning the construction of an act of Congress making a grant of land to the State of Indiana, and in which she feels a deep interest, I deem it proper to submit all the material facts to your consideration, with a view to procure such additional legislation as the facts of the case may appear to render proper.

The report of the Secretary of the Treasury, and the documents annexed from the General Land Office, will disclose all the circumstances deemed material in relation to the subject, and are herewith presented.

M. VAN BUREN.

WASHINGTON, December 20, 1838.

Ordered, That said message be referred to the Committee on the Judiciary.

The Speaker laid before the House a report from the Secretary of the Treasury, with statements, required by the act of 20th April, 1836, for carrying into effect the treaties with the Chickasaw Indians; which letter and statements were laid on the table.

Mr. Sherrod Williams, by leave, moved the following resolution :

Resolved, That the Committee on the Public Lands be instructed to inquire into the propriety and expediency of granting to all the settlers that may have heretofore settled or may hereafter settle on the public lands, pre-emption rights to one quarter section of said land, according to the provisions of an act approved June 22, 1838, entitled "An act to grant pre-emption rights to settlers on the public lands."

The said resolution being read,

A motion was made by Mr. Chapman, delegate from Iowa, to amend the same, by adding thereto the following resolution :

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of amending the pre-emption law so as, 1st, to permit settlers to enter timbered lands to make and support their farms on the prairie; 2d, to include young men who had farms but were not house-keepers; 3d, those whose establishments were made prior to the surveying of the lands whereon such settlements were made, and who, by subsequent surveys, are made to occupy different quarter sections than those upon which their farms are situate; 4th, those whose settlements were made within the *four months* specified in said law; 5th, those whose settlements were made subsequent to the passage of the said law, and so as to require six months' notice of the sale of the public lands :

That said committee also inquire into the expediency of providing by law for the sub-division of the mineral lands into lots corresponding in size with lots laid out under the rules and regulations of mining, and for the sale thereof to claimants :

That said committee also inquire into the expediency of providing by law for the appointment of a commissioner to adjust the title to said lots.

And, pending the question,

The House, at four o'clock past meridian, adjourned until to-morrow, twelve o'clock, meridian.

FRIDAY, DECEMBER 21, 1838.

The Journal of yesterday being read,

A motion was made by Mr. Cushing to amend the same, by inserting therein the following words :

“Mr. Cushing presented the petition of Joseph Young and others, of Salisbury, in the State of Massachusetts; which was laid on the table, under the resolution of the House of the 12th December: and, on presenting the same, Mr. Cushing protested that, in submitting to the application of said resolution to this petition, he yielded not to right but to power, conceiving said resolution to be unconstitutional, and, therefore, in itself, purely null and void: which protest he moved to have entered on the Journal; but the Speaker decided that the motion was not in order.”

And, after debate,

The previous question was moved by Mr. Wise, and being demanded by a majority of the members present,

The said previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative.

The main question was accordingly put, viz : Shall the Journal be amended as aforesaid ?

And passed in the negative, { Yeas, 14,
 { Nays, 174.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
Nathaniel B. Borden
William B. Calhoun
Caleb Cushing
Edward Davies

Mr. Richard Fletcher
Joshua R. Giddings
William S. Hastings
Levi Lincoln
Calvary Morris

Mr. David Potts, jr.
Edward Robinson
Leverett Saltonstall
Joseph L. Tillinghast.

Those who voted in the negative are—

Mr. John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Aycrigg
Linn Banks
William Beatty
Cyrus Beers
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsall
William Key Bond
Ratliff Boon
James W. Bouldin
George N. Briggs
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter

Mr. Zadok Casey
John Chambers
John Chaney
John C. Clark
Jesse F. Cleveland
William K. Clowney
Walter Coles
Henry W. Connor
Thomas Corwin
George W. Crabb
Robert Craig
Isaac E. Crary
Robert B. Cranston
John W. Crockett
Samuel Cushman
Edward Darlington
William C. Dawson
John I. De Graff
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards
George Evans
Horace Everett
John Ewing

Mr. James Farrington
Isaac Fletcher
Millard Fillmore
Jacob Fry, jr.
Albert Gallup
James Garland
Thomas Glascock
Patrick G. Goode
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray
George Grennell, jr.
John K. Griffin
Elisha Haley
Hiland Hall
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
William Herod
George W. Hopkins

Mr. Benjamin C. Howard
 Edward B. Hubley
 William H. Hunter
 Robert M. T. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 Joseph Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 John P. Kennedy
 John Klingensmith, jr.
 Hugh S. Legare
 Daniel P. Leadbetter
 Arphaxad Loomis
 Francis S. Lyon
 Francis Mallory
 Richard P. Marvin
 Samson Mason
 Joshua L. Martin
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Thos. M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John Miller
 Charles F. Mitchell
 William Montgomery

Mr. William S. Morgan
 Mathias Morris
 Samuel W. Morris
 John L. Murray
 Charles Naylor
 William H. Noble
 Joseph C. Noyes
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 Luther C. Peck
 David Petrikin
 Lancelot Phelps
 Francis W. Pickens
 Arnold Plumer
 John Pope
 Zadock Pratt
 John H. Prentiss
 Sergeant S. Prentiss
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 Francis E. Rives
 Edward Rumsey
 David Russell
 Samuel T. Sawyer
 Augustine H. Shepperd
 Charles Shepard
 Ebenezer J. Shields
 Matthias Sheplor

Mr. William Slade
 Adam W. Snyder
 William W. Southgate
 James B. Spencer
 Edward Stanly
 Archibald Stuart
 William Stone
 Charles C. Stratton
 Henry Swearingen
 John Taliaferro
 William Taylor
 Obadiah Titus
 George W. Toland
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Joseph R. Underwood
 Henry Vail
 Abraham Vanderveer
 David D. Waggoner
 Joseph Weeks
 John White
 Thomas T. Whittlesey
 Lewis Williams
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 Jno. T. H. Worthington
 Archibald Yell
 Thomas Jones Yorke.

Mr. Mallory, by leave, moved the following resolution, viz:

Resolved, That the Secretary of the Navy be directed to inform this House what measures, if any, have been taken to carry into effect the act of 1836, making appropriation for the "selection of sites, and erecting of marine barracks at Charleston, Gosport, and Pensacola."

The said resolution was read, and laid on the table one day, under the rule.

A motion was made by Mr. Cambreleng, that the rules in relation to the order of business be suspended, and that the committees be called for reports; which motion was agreed to, two-thirds voting therefor.

Mr. Buchanan, from the Committee of Elections, to which was referred the subject-matter of the right to a seat in the House as the delegate from the Territory of Wisconsin, made a report thereon; the consideration of which was postponed until Thursday, the 27th of December instant: and it was directed to be the special order for that day, two-thirds voting therefor.

Mr. Cambreleng, from the Committee of Ways and Means, reported a bill (No. 895) making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes for the year 1839; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, reported a bill (No. 896) making appropriations for the naval service for the year 1839; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, reported a bill (No. 897) making appropriations for the support of the army for the year 1839; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, reported a bill (No. 898) more effectually to prevent frauds in the collection, keeping, transfer, and disbursement of the public revenue, and to punish public defaulters; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Chambers, from the Committee of Claims, reported several bills, viz :

No. 899. A bill for the relief of Griffith Coombe and John P. Ingle, trustees of the house in the city of Washington commonly called *the brick Capitol*;

No. 900. A bill for the relief of Thomas Fillebrown, junior; accompanied by a report in writing in each case; which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Chambers, from the Committee of Claims, made unfavorable reports on the case of Thomas Rogers, executor of Charles Binns, and on the case of the widow and executrix of Hubert Lacroix, deceased; which reports were ordered to lie on the table.

Mr. Russell, from the Committee of Claims, made an unfavorable report on the case of Henry Hill; which was ordered to lie on the table.

Mr. Cushman, from the Committee on Commerce, reported the following resolution; which was read, and agreed to :

Resolved, That the House bill (No. 96) for the reorganization of the Treasury Department, and the House bill (No. 472) to define the number, compensation, and duties of officers of the customs, be reprinted, and laid upon the tables of the members of the House; and that the chairman of the Committee on Commerce give notice to the House that he will, on Wednesday next, ask the House to go into the Committee of the Whole House on the state of the Union to consider said bills.

On motion of Mr. Casey,

Ordered, That the diagrams accompanying the annual report of the Commissioner of the General Land Office, communicated to the House on the 19th December, 1838, be printed with the said report.

On motion of Mr. Ewing,

Ordered, That the map of C. T. Whippo, accompanying a message of the President of the United States, in relation to the Wabash and Erie canal lands, which was referred on yesterday to the Committee on the Judiciary, be printed in connexion therewith.

Mr. Craig, from the Committee on Revolutionary Claims, reported sundry bills, viz :

No. 901. A bill for the relief of the legal representatives of John Barnes, deceased;

No. 902. A bill for the relief of the legal representatives of John Lamme, deceased;

No. 903. A bill for the relief of the legal representatives of Captain Tarpley White, deceased;

No. 904. A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of Edward Wade, deceased;

No. 905. A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of William Gregory, deceased;

No. 906. A bill to authorize the payment of the seven years' half pay due on account of the services of James Conway, deceased;

No. 907. A bill for the relief of the legal representatives of James Burton, deceased;

No. 908. A bill for the relief of the legal representatives of Captain Thomas Cooke, deceased;

No. 909. A bill for the relief of Roger Staynor, late a captain in the army of the Revolution;

which bills were, severally, read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Underwood, from the Committee on Revolutionary Claims, reported a bill (No. 910) for the relief of Levi Chadwick; which was read the first and second time, and ordered to be engrossed, and read a third time to-morrow.

Mr. Underwood, from the Committee on Revolutionary Claims, reported sundry bills, viz :

No. 911. A bill for the relief of the legal representatives of Colonel Francis Vigo, deceased;

No. 912. A bill for the relief of the legal representatives of Lieutenant Colonel William Fontaine, deceased;

No. 913. A bill for the relief of the legal representatives of Captain Samuel Jones, deceased;

No. 914. A bill for the relief of the legal representatives of Lathrop Allen, deceased;

No. 915. A bill for the relief of the legal representatives of Major William Langbourne, deceased;

No. 916. A bill to authorize the issuing land warrants in certain cases; which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Taliaferro, from the Committee on Revolutionary Claims, reported a bill (No. 917) for the relief of the heirs of Thomas Wishart, accompanied by a report; which bill was read the first and second time, and committed to the Committee of the Whole House to which is committed the bill (No. 141) for the relief of the legal representatives of John Jordan, deceased.

Mr. Augustine H. Shepperd, from the Committee on Revolutionary Claims, reported sundry bills, viz :

No. 918. A bill for the relief of the legal representatives of Samuel O. Pettus, deceased;

No. 919. A bill for the relief of the legal representatives of Major Tarlton Woodson;

No. 920. Another bill for the relief of the legal representatives of Major Tarlton Woodson, deceased;

No. 921. A bill for the relief of the legal representatives of Captain James Purvis, deceased;

No. 922. A bill for the relief of the legal representatives of Captain Charles Taylor, deceased;

No. 923. A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of Francis Eppes, deceased;

which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Mercer, from the Committee on Roads and Canals, reported a bill (No. 924) giving the assent of Congress to an act of the General Assembly of Virginia, entitled "An act incorporating the Falmouth and Alexandria Railroad Company," which passed February 2, 1836; which bill was read the first and second time, and a motion was made by Mr. Petrikin, that it be committed to a Committee of the Whole House to-morrow; which motion was disagreed to.

The said bill was ordered to be engrossed, and read a third time to-morrow.

Mr. Morgan, from the Committee on Revolutionary Pensions, reported sundry bills, viz :

No. 925. A bill for the relief of Solomon Prewitt;

No. 926. A bill for the relief of John England;

No. 927. A bill for the relief of Jacob Baugh;

No. 928. A bill for the relief of Elizabeth Jones;

No. 929. A bill for the relief of Oliver Peck;

which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Joseph Johnson, from the Committee on Revolutionary Pensions, reported two bills, viz :

No. 930. A bill granting a pension to Susannah Roe;

No. 931. A bill restoring the name of John Davis to the pension-list; which bills were read the first and second time, and severally committed to a Committee of the Whole House to-morrow.

Mr. Sibley, from the Committee on Revolutionary Pensions, made a report on the case of Elizabeth Durant, accompanied by a bill (No. 932) granting her a pension; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Sherrod Williams, from the Committee on Invalid Pensions, reported a bill (No. 933) for the relief of the widow of Captain James Hunter; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Sherrod Williams, from the Committee on Invalid Pensions, reported a bill (No. 934) for the benefit of Fielding Pratt; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Lincoln, from the Committee on Public Buildings, reported a resolution (No. 29) authorizing an examination and payment of the claims of the workmen upon the public buildings; which resolution was read the first and second time, and ordered to be engrossed, and read the third time to-morrow.

Mr. Taliaferro, from the Committee on Revolutionary Claims, reported a bill (No. 935) for the relief of the heirs of Presley Thornton; which bill was read the first and second time, and committed to the Committee of the Whole House to which is committed the bill (No. 141) for the relief of the legal representatives of Captain John Jordan.

A message from the Senate by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed the bill of this House (No. 891) entitled "An act making appropriations in part for the support of Government for the years 1838 and 1839." And then he withdrew.

On motion of Mr. Cushman,

Ordered, That a Committee on Enrolled Bills be appointed on the part of this House, in pursuance of the joint rules of the two Houses.

Mr. Yell and Noyes were appointed on the part of this House.

The House resumed the consideration of the message of the President of the United States of the 8th instant, communicated to the House on the 10th instant, in relation to the recently-discovered default of Samuel Swartwout, late collector of the customs at the port of New York.

The question recurred on the motion made by Mr. Wise on the 19th instant, that the said message be committed to the Committee of the Whole House on the state of the Union.

And after further debate,

The House at half-past eight o'clock, adjourned until to-morrow, twelve o'clock meridian.

SATURDAY, DECEMBER 22, 1838.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have concurred in the order for the appointment of a Joint Committee on Enrolled Bills, and have appointed Mr. Williams of Mississippi, and Mr. Foster, of the committee on their part. And then he withdrew.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee had examined an enrolled bill (No. 891) entitled "An act making appropriations in part for the support of Government for the years 1838 and 1839," and found the same to be truly enrolled ; when

The Speaker signed the bill.

The House resumed the consideration of the petition of Abby Sanford and other women of East Bridgewater, in the county of Plymouth, in the State of Massachusetts, praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti.

The question recurred on the motion made by Mr. John Quincy Adams on the 20th instant, that the said petition be referred to the Committee on Foreign Affairs, with instruction to consider and report thereon.

A division of the question on this motion having been called by Mr. Dromgoole on the 20th, the question was put on so much thereof as proposed that the petition be referred to the Committee on Foreign Affairs ;

And passed in the affirmative.

The question recurred on the remainder of said motion, viz : the instructions to the committee "to consider and report thereon."

And whilst this question was under debate, Mr. John Quincy Adams was called to order by the Speaker, who decided that his remarks were irrelevant to the question before the House, and in violation of the rule of the House which declares that a member in debate "shall confine himself to the question under debate."

Objection being made to Mr. Adams's proceeding further in his speech, by Mr. Bynum,

A motion was made by Mr. Briggs that Mr. Adams have leave to proceed ;

And the question being put on this motion,

It passed in the affirmative, { Yeas, 114.
Nays, 47.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. Heman Allen
Hugh J. Anderson
John T. Andrews
Samuel Birdsall
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
Andrew Buchanan
William B. Calhoun
Zadok Casey
John Chambers
Timothy Childs
John C. Clark
Jesse F. Cleveland
Thomas Corwin
Robert B. Cranston
Caleb Cushing
Edward Darlington
William C. Dawson
Edward Davies
George H. Dunn
George Evans
Horace Everett
John Ewing
Richard Fletcher
Isaac Fletcher
Millard Fillmore
Jacob Fry, jr.
James Garland
Rice Garland
Joshua R. Giddings
Thomas Glascock
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
Abraham P. Grant

Mr. William J. Graves
George Grennell, jr.
Elisha Haley
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Ogden Hoffman
Thomas B. Jackson
Jabez Jackson
William Cost Johnson
Nathaniel Jones
John P. Kennedy
Levi Lincoln
Arphaxed Loomis
Richard P. Marvin
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Robert McClellan
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
Charles F. Mitchell
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
William Parmenter
Luther C. Peck
Francis W. Pickens
David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
James Rariden

Mr. Joseph F. Randolph
John Reed
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Samuel T. Sawyer
Daniel Sheffer
Augustine H. Shepperd
Ebenazer J. Shields
Mark H. Sibley
William Slade
Adam W. Snyder
William W. Southgate
James B. Spencer
Edward Stanly
Archibald Stuart
William Stone
Charles C. Stratton
John Taliaferro
William Taylor
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Abraham Vanderveer
Albert S. White
John White
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Charles G. Atherton
Linn Banks
William Beatty
Andrew Beirne
Bennet Bicknell
Ratliff Boon
Jesse A. Bynum
John Calhoun
John Campbell
Reuben Chapman
William K. Clowney
Walter Coles
Henry W. Connor
Isaac E. Cray
John W. Crockett
Samuel Cushman

Mr. Alexander Duncan
James Farrington
John K. Griffin
Thomas L. Hamer
Albert G. Harrison
Charles E. Haynes
George W. Hopkins
Robert M. T. Hunter
Joseph Johnson
John W. Jones
George M. Keim
James M. Mason
Joshua L. Martin
James J. McKay
Abraham McClellan
John Miller

Mr. William Montgomery
William S. Morgan
Samuel W. Morris
William H. Noble
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
David Petrikin
John H. Prentiss
Mathias Shepler
Henry Swearingen
Obadiah Titus
Hopkins L. Turney
David D. Wagener
Taylor Webster.

Mr. Adams having concluded,

Mr. Bynum was addressing the House when he was called to order by Mr. Wise. The Speaker decided that his remarks were irrelevant to the question before the House, and in violation of the rule of the House which declares that a member in debate "shall confine himself to the question under debate."

Objection being made to Mr. Bynum's proceeding further in his speech,
by Mr. Stanly,

A motion was made by Mr. Turney, that Mr. Bynum have leave to
proceed ;

And the question being put, it passed in the affirmative.

Mr. Bynum having concluded his remarks,

After further debate,

The previous question was moved by Mr. Petrikin ; when

A motion was made by Mr. Campbell, of South Carolina, that the in-
structions proposed to be given to the Committee on Foreign Affairs do
lie on the table ;

And the question being put,

It passed in the affirmative, { Yeas, 110,
Nays, 46.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Aycrigg
Liam Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Isaac H. Bronson
Jesse A. Bynum
John Calhoon
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chambers
John Chaney
Reuben Chapman
Jesse F. Cleveland
Henry W. Connor
George W. Crabb
Robert Craig
Isaac E. Crary
John W. Crockett
Samuel Cushman
William C. Dawson
John I. De Graff
Alexander Duncan
John Ewing
Jacob Fry, jr.
Albert Gallup
Rice Garland
Thomas Glascock
James Graham

Mr. Seaton Grantland
Abraham P. Grant
William J. Graves
John K. Griffin
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
Richard Hawes
William Herod
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Henry Johnson
Joseph Johnson
Nathaniel Jones
John W. Jones
Gouverneur Kemble
John P. Kennedy
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Francis S. Lyon
James M. Mason
Joshua L. Martin
Abram P. Maury
James J. McKay
Robert McClellan
Abraham McClellan
Richard H. Menefee
Charles F. Mercer
John Miller
William S. Morgan
John L. Murray
William H. Noble
Amasa J. Parker

Mr. Virgil D. Parris
David Petrikin
Francis W. Pickens
Arnold Plumer
John Pope
Zadock Pratt
Sergeant S. Prentiss
Abraham Rencher
Edward Rumsey
Daniel Sheffer
Augustine H. Sheppard
Charles Shepard
Ebenezer J. Shields
Matthias Shepler
William W. Southgate
James B. Spencer
Edward Stanly
William Stone
Henry Swearingen
John Taliaferro
William Taylor
Waddy Thompson, jr.
Obadiah Titus
Isaac Toucey
Hopkins L. Turney
Joseph R. Underwood
Abraham Vanderveer
David D. Wagener
Taylor Webster
John White
Lewis Williams
Sherrod Williams
Joseph L. Williams
Henry A. Wise
Thomas J. Word
Archibald Yell

Those who voted in the negative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
William Key Bond
Nathaniel B. Borden
George N. Briggs

Mr. William B. Calhoun
Timothy Childs
John C. Clark
Charles D. Coffin
Thomas Corwin
Robert B. Cranston

Mr. Caleb Cushing
Edward Darlington
Thomas Davee
Edward Davies
George H. Davis
Horace Everett

Mr. Richard Fletcher
 Millard Fillmore
 Joshua R. Giddings
 William Graham
 George Grennell, jr.
 William S. Hastings
 Thomas Henry
 Levi Lincoln
 Richard P. Marvin
 Samson Mason

Mr. Thos. M. T. McKennan
 Charles Naylor
 Joseph C. Noyes
 Luther C. Peck
 David Potts, jr.
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed

Mr. Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Saltonstall
 William Slade
 Joseph L. Tillinghast
 George W. Toland
 Albert S. White
 Thomas Jones Yorks.

The rule being suspended by a vote of two-thirds, for the purpose of receiving the same,

Mr. Hopkins moved the following resolution :

Resolved, That when this House adjourn to-day, it will adjourn to meet on Wednesday next.

And on the question that the House do agree to this resolution,

It passed in the affirmative, { Yeas, 100,
 { Nays, 69.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Heman Allen
 Charles G. Atherton
 J. Banker Ayerigg
 Linn Banks
 Cyrus Beers
 John Bell
 William Key Bond
 George N. Briggs
 John C. Brodhead
 Isaac H. Bronson
 Andrew Buchanan
 Jesse A. Bynum
 John Calhoun
 C. C. Cambreleng
 John Campbell
 John Chambers
 John Chaney
 Reuben Chapman
 Timothy Childs
 John C. Clark
 Jesse F. Cleveland
 Charles D. Coffin
 Walter Coles
 Henry W. Connor
 Thomas Corwin
 Robert Craig
 Isaac E. Crary
 Robert B. Cranston
 John W. Crockett
 Caleb Cushing
 Edward Darlington
 William C. Dawson
 Thomas Daves
 Edward Davies

Mr. John I. De Graff
 John Edwards
 Richard Fletcher
 Millard Fillmore
 Albert Gallup
 Thomas Glascock
 George Grennell, jr.
 John K. Griffin
 Thomas L. Hamer
 James Harlan
 Alexander Harper
 William S. Hastings
 Richard Hawes
 Charles E. Haynes
 Ogden Hoffman
 George W. Hopkins
 Edward B. Hubley
 Robert M. T. Hunter
 Nathaniel Jones
 John W. Jones
 Gouverneur Kamble
 John P. Kennedy
 Hugh S. Legare
 Levi Lincoln
 Arphaxed Loomis
 Francis S. Lyon
 Richard P. Marvin
 James M. Mason
 Samson Mason
 Joshua L. Martin
 Abram P. Maury
 John P. B. Maxwell
 James J. McKay

Mr. Robert McClellan
 Thomas M. T. McKennan
 Charles F. Mercer
 William S. Morgan
 Samuel W. Morris
 Charles Naylor
 Amasa J. Parker
 Luther C. Peck
 David Petrikin
 Francis W. Pickens
 John Pope
 David Potts, jr.
 Sergeant S. Prentiss
 James Rariden
 Joseph F. Randolph
 David Russell
 Leverett Saltonstall
 Charles Shepard
 Adam W. Snyder
 Edward Stanly
 Charles C. Stratton
 John Taliaferro
 Waddy Thompson, jr.
 Joseph L. Tillinghast
 George W. Toland
 George W. Towns
 Henry Vail
 Albert S. White
 John White
 Joseph L. Williams
 Henry A. Wise
 Thomas J. Word
 Thomas Jones Yorks.

Those who voted in the negative are—

Mr. John Quincy Adams
 John W. Allen
 Hugh J. Anderson
 John T. Andrews
 William Beatty
 Andrew Beirne

Mr. Bennet Bicknell
 William B. Calhoun
 William B. Carter
 Zadok Casey
 George W. Crabb
 Samuel Cushman

Mr. Alexander Duncan
 George H. Dunn
 Horace Everett
 Jacob Fry, jr.
 James Garland
 Rice Garland

Mr. Joshua R. Giddings
 Patrick G. Goode
 James Graham
 William Graham
 Elisha Haley
 Robert H. Hammond
 Albert G. Harrison
 Thomas Henry
 William Herod
 William H. Hunter
 Thomas B. Jackson
 Joseph Johnson
 George M. Keim
 Daniel P. Leadbetter
 Dixon H. Lewis
 Abraham McClellan
 Richard H. Menefee

Mr. John Miller
 William Montgomery
 John L. Murray
 William H. Noble
 Joseph C. Noyes
 Charles Ogle
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 Arnold Plumer
 Zadock Pratt
 Harvey Putnam
 John Reed
 Abraham Rancher
 Joseph Ridgway
 Edward Rumsey
 Daniel Sheffer

Mr. Augustine H. Shepperd
 Ebenezer J. Shields
 Matthias Shepler
 William Slade
 William W. Southgate
 William Stone
 Henry Swearingen
 William Taylor
 Obadiah Titus
 Hopkins L. Turney
 Joseph R. Underwood
 Abraham Vanderveer
 David D. Wagener
 Lewis Williams
 Sherrod Williams
 Jared W. Williams
 Archibald Yell.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting the annual report on the subject of insolvent debtors to the United States, required by the act of March 2, 1831; which letter and report were laid on the table.

Mr. Graves, by leave, presented a memorial of Harriet Barney, widow of Commodore Joshua Barney, deceased, praying that she may receive a pension in consequence of wounds received by Commodore Barney in the late war with Great Britain; which memorial was referred to the Committee on Invalid Pensions.

And then, at three o'clock, the House adjourned until Wednesday, the 26th of December instant, at twelve o'clock, meridian.

WEDNESDAY, DECEMBER 26, 1838.

Another member, viz: from the State of Georgia, George W. Owens, appeared, and took his seat.

A message was received from the President of the United States by Mr. Martin Van Buren, jun., his private secretary, notifying that the President did, on the 22d instant, approve and sign an enrolled bill (No. 891) entitled "An act making appropriations in part for the support of Government for the years 1838 and 1839."

The Speaker laid before the House the following communication, viz:

WASHINGTON, December 24, 1838.

SIR: I hereby communicate to the House of Representatives, through you, notice that I have, this day, resigned my seat as a member of the 25th Congress of the United States.

I have the honor to be, very respectfully, your obedient servant,

JOHN FAIRFIELD.

Hon. JAMES K. POLK,

Speaker of the House of Representatives U. S.

Ordered, That said communication do lie on the table, and that the Speaker communicate to the Governor of the State of Maine that a vacancy has occurred in the representation in the House of Representatives by the resignation of John Fairfield, late a member thereof from that State.

A motion was made by Mr. Haynes, that the rules in relation to the

order of business be suspended, and that the House do now resolve itself into the Committee of the Whole House on the state of the Union, for the purpose of proceeding to the consideration of the message from the President of the United States at the commencement of the session ;

And the question being put,

It passed in the affirmative, { Yeas, 112,
Nays, 26.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. John Quincy Adams
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Andrew Beirne
John Bell
Bennet Bicknell
Ratliff Boon
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
John Calhoun
C. C. Cambreleng
Zadok Casey
Richard Cheatham
Timothy Childs
John C. Clark
Walter Coles
Thomas Corwin
George W. Crabb
Robert Craig
Isaac E. Crary
Caleb Cushing
Samuel Cushman
Thomas Davee
Edward Davies
John I. De Graff
Alexander Duncan
George H. Dunn
Horace Everett
Millard Fillmore
Henry A. Foster
Albert Gallup

Mr. James Garland
Thomas Glascock
James Graham
William Graham
Abraham P. Grant
John K. Griffin
Elisha Haley
Thomas L. Hamer
Albert G. Harrison
Charles E. Haynes
Thomas Henry
William Herod
Thomas B. Jackson
Jabez Jackson
Joseph Johnson
George M. Keim
Levi Lincoln
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Richard P. Marvin
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
William Montgomery
William S. Morgan
John L. Murray
William H. Noble
Joseph C. Noyes
Charles Ogle
Amasa J. Parker

Mr. William Parmenter
Iemuel Paynter
Luther C. Peck
David Petrikin
Lancelot Phelps
Francis W. Pickens
David Potts, jr.
Zadock Pratt
John H. Prentiss
Sergeant S. Prentiss
Joseph F. Randolph
John Reed
David Russell
Daniel Sheffer
Augustine H. Shepperd
Matthias Sheplor
Mark H. Sibley
Adam W. Snyder
William Stone
Charles C. Stratton
Henry Swearingen
Joseph L. Tillinghast
George W. Toland
Isaac Toucey
George W. Towns
Hopkins L. Turney
Joseph R. Underwood
Henry Vail
Abraham Vanderveer
Taylor Webster
John White
Thomas T. Whittlesey
Jared W. Williams
Joseph L. Williams
Thomas J. Word
Archibald Yell
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Heman Allen
John W. Allen
William B. Campbell
John Chambers
Robert B. Cranston
John W. Crockett
Joshua R. Giddings
James Harlan
Alexander Harper

Mr. Benjamin C. Howard
Henry Johnson
Richard H. Menefee
Charles F. Mitchell
Calvary Morris
James Rariden
Joseph Ridgway
Edward Robinson
Edward Rumsey

Mr. Leverett Saltonstall
Ebenezer J. Shields
William Slade
William W. Southgate
Edward Stanly
Lewis Williams
Sherrod Williams
Christopher H. Williams

The House then resolved itself into the Committee of the Whole House on the state of the Union ; and, after some time spent therein, the Speaker resumed the chair, and Mr. John Quincy Adams reported that the committee had, according to order, had the state of the Union generally

under consideration, particularly the message from the President of the United States at the commencement of the present session, and had come to no resolution thereon.

A message, in writing, was received from the President of the United States by Mr. Martin Van Buren, his private secretary, as follows :

To the House of Representatives of the United States :

I transmit for your consideration the enclosed communication and accompanying documents from the Secretary of War, relative to the present state of the Pea-patch island, in the Delaware river, and of the operations going on there for the erection of defences for that important channel of commerce.

It will be seen, from these documents, that a complete stop has been put to those operations, in consequence of the island having been taken possession of by the individual claimant under the decision, in his favor, of the United States district court for the district of New Jersey ; and that, unless early measures are taken to bring the island again within the jurisdiction of the Government, great loss and injury will result to the future operations for carrying on the works. The importance of the subject would seem to render it worthy of the early attention of Congress.

M. VAN BUREN.

WASHINGTON, December 26, 1838.

Ordered, That said message be referred to the Committee on the Judiciary.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting the papers called for by the House on the 20th instant, in relation to the claim of Richard F. Barret ; which papers were referred to the Committee on Private Land Claims.

The House, at half-past three o'clock, adjourned until to-morrow, twelve o'clock, meridian.

THURSDAY, DECEMBER 27, 1838.

On motion of Mr. Buchanan, it was

Ordered, (two-thirds voting therefor,) That the consideration of the report of the Committee of Elections on the right to a seat in this House as the Delegate from the Territory of Wisconsin, be postponed until Thursday, the 3d of January next, at 1 o'clock, P. M., and that it be the special order for that day at that hour, and on each succeeding day at the same hour, and to take precedence of all other business, until the same shall be disposed of.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed bills of the following titles, viz :

No. 56. An act for the relief of the owners of the British brig Despatch ;

No. 57. An act to remunerate the captors of the privateer Lydia ;

No. 77. An act to remit or refund to the Philadelphia, Wilmington, and Baltimore Railroad Company, the duties upon certain railroad iron ;

No. 76. An act for the relief of Jechonius Pigot and Benjamin Lecraft, sureties of James Manney, late collector of the customs for the district of Beaufort, in the State of North Carolina ;

in which bills I am directed to ask the concurrence of this House. And then he withdrew.

The rules in relation to the order of business being suspended for the purpose,

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. John Quincy Adams reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the message from the President of the United States at the commencement of the session, and had come to no resolution thereon.

An engrossed resolution (No. 29) authorizing an examination and payment of the claims of the workmen upon the public buildings, was read the third time; when

A motion was made by Mr. Rencher that the said resolution be referred to the Committee of Claims.

And, pending the question,

The House, at a quarter past four o'clock, adjourned until to-morrow, twelve o'clock, meridian.

FRIDAY, DECEMBER 28, 1838.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed bills of the following titles, viz:

No. 37. An act to change the location of the office of surveyor general of the district composed of the States of Ohio, Indiana, and Michigan;

No. 39. An act to create an additional land office in the State of Michigan, and for other purposes;

No. 64. An act authorizing the President of the United States to cause the mineral lands in the several States and Territories belonging to the United States to be sold as other public lands;

No. 60. An act to relinquish to the State of Alabama the two per cent. fund reserved by the act for her admission into the Union, to be applied to the making of a road or roads leading to the said State;

No. 139. An act for the relief of the corporate authorities of the city of Mobile;

in which bills I am directed to ask the concurrence of this House. And then he withdrew.

Mr. Wise, by leave, submitted resolutions, which were subsequently modified to read as follows:

1. *Resolved*, That twenty thousand copies extra of document No. 297 of the 2d session of the 25th Congress, and a like number extra of document No. 13 of the present session, the former relating to public defaulters, the latter to the defalcation of Samuel Swartwout, be printed for the use of this House.

2. *Resolved*, That the Secretary of the Treasury report to this House—

First. What defalcations by collectors and receivers, or other depositaries of the public money, have taken place from the 1st day of October, 1837, the names of the defaulters, when and where it took place, and what amount;

Second. What amount has been paid, or what balances appearing due from defaulters in the report of the 17th of January last, have been adjusted and reduced:

And that he be required to report to this House all the correspondence

touching defalcations of receivers and collectors of public money since the Department furnished document No. 297.

A motion was made by Mr. Loomis to amend the first resolution, by striking out all that part thereof which relates to document No. 297 of the 2d session of the 25th Congress, relating to public defaulters;

And after debate,

The House, at half-past four o'clock, adjourned until to-morrow, twelve o'clock meridian.

SATURDAY, DECEMBER 29, 1838.

Another member, viz: from the State of Georgia, Hopkins Holsey, appeared, and took his seat.

A motion was made by Mr. Bond, that the rules in relation to the order of business be postponed, and that the House do resume the consideration of the resolutions moved by Mr. Wise, yesterday, and depending at the adjournment;

And on the question, Shall the rules be suspended as aforesaid?

There appeared,	{ Yeas,	. . . . .	79,
	{ Nays,	. . . . .	65.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
J. Banker Aycrigg
John Bell
William Key Bond
George N. Briggs
John Calhoun
William B. Campbell
William B. Carter
Zadok Casey
Richard Cheatham
John C. Clark
William K. Clowney
Robert B. Cranston
Caleb Cushing
William C. Dawson
Edward Davies
Edmund Deberry
George H. Dunn
George Evans
Horace Everett
John Ewing
Richard Fletcher
James Garland
Patrick G. Goode
William Graham

Mr. Seaton Grantland
William J. Graves
George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
Richard Hawes
Charles E. Haynes
Thomas Henry
William Herod
Jabez Jackson
William Cost Johnson
John P. Kennedy
Dixon H. Lewis
Levi Lincoln
Samson Mason
Abram P. Maury
John P. B. Maxwell
Thos. M. T. McKennan
Richard H. Menefee
Charles F. Mitchell
Calvary Morris
Joseph C. Noyes
Francis W. Pickens
David Potts, jr.
Harvey Putnam

Mr. James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
Leverett Saltonstall
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
William W. Southgate
Edward Stanly
Archibald Stuart
Charles C. Stratton
John Taliaferro
William Taylor
Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland
John White
Lewis Williams
Joseph L. Williams
Christopher H. Williams
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Bennet Bicknell
Ratiff Boon

Mr. James W. Bouldin
William B. Calhoun
C. C. Cambreleng
John Chambers
Jesse F. Cleveland
Walter Coles
Henry W. Connor
George W. Crabb

Mr. Robert Craig
Samuel Cushman
Thomas Dacey
James Farrington
Isaac Fletcher
Henry A. Foster
Joshua R. Giddings
John K. Griffin

Mr. Elisha Haley
 Albert G. Harrison
 Orrin Holt
 Benjamin C. Howard
 Thomas B. Jackson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 Joshua L. Martin
 James J. McKay
 Robert McClellan

Mr. Abraham McClellan
 Charles McClure
 John Miller
 William Montgomery
 William S. Morgan
 Samuel W. Morris
 William H. Noble
 Amasa J. Parker
 Virgil D. Parris
 Lemuel Paynter
 David Petrikin
 Lancelot Phelps
 William W. Potter
 Zadock Pratt

Mr. Daniel Sheffer
 Adam W. Snyder
 James B. Spencer
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 Thomas T. Whittlesey
 Sherrod Williams
 Jared W. Williams
 Archibald Yell.

Two-thirds not voting in the affirmative, the question was lost.

Bills from the Senate of the following titles, viz :

No. 5. An act for the relief of the heirs of John Brahan, late receiver of public moneys at Huntsville, Alabama ;

No. 6. An act for the relief of William Jones ;

No. 7. An act for the relief of William East ;

No. 17. An act to establish an additional land district in the State of Alabama ;

No. 19. An act to amend an act entitled "An act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes ;"

No. 21. An act to confirm the sales of certain reservations ;

No. 26. An act to amend an act entitled "An act to require the judge of the district of East and West Tennessee to hold a court at Jackson, in said State," approved June 18, 1838 ;

No. 37. An act to change the location of the office of surveyor general of the district composed of the States of Ohio, Indiana, and Michigan ;

No. 38. An act granting to the county of Kalamazoo, in the State of Michigan, the right of pre-emption to a quarter section of land, and for other purposes ;

No. 39. An act to create an additional land office in the State of Michigan, and for other purposes ;

No. 42. An act for the relief of John Newton ;

No. 51. An act for the relief of Jean B. Valle ;

No. 56. An act for the relief of the owners of the British brig Despatch ;

No. 57. An act to remunerate the captors of the privateer Lydia ;

No. 60. An act to relinquish to the State of Alabama the two per cent. fund reserved by the act for her admission into the Union, to be applied to the making of a road or roads leading to said State ;

No. 64. An act authorizing the President of the United States to cause the mineral lands in the several States and Territories to be sold as other public lands ;

No. 76. An act for the relief of Jechonius Pigot and Benjamin Lecraft, sureties of James Manney, late collector of the customs for the district of Beaufort, in the State of North Carolina ;

No. 77. An act to remit or refund to the Philadelphia, Wilmington, and Baltimore Railroad Company, the duties upon certain railroad iron ;

No. 139. An act for the relief of the corporate authorities of the city of Mobile ;

were severally read the first and second time, and referred—

No. 5, to the Committee on the Public Lands ;
 No. 6, to the Committee on Private Land Claims ;
 No. 7, to the Committee of Claims ;
 No. 17, to the Committee on the Public Lands ;
 No. 19, to the Committee on the Judiciary ;
 No. 21, to the Committee on Private Land Claims ;
 No. 26, to the Committee on the Judiciary ;
 No. 37, to the Committee on the Public Lands ;
 No. 38, to the Committee on the Public Lands ;
 No. 39, to the Committee on the Public Lands ;
 No. 42, to the Committee on the Public Lands ;
 No. 51, to the Committee on the Public Lands ;
 No. 56, to the Committee on Commerce ;
 No. 57, to the Committee on Commerce ;
 No. 60, to the Committee on Roads and Canals ;
 No. 64, to the Committee on the Public Lands ;
 No. 76, to the Committee of Claims ;
 No. 77, to the Committee on Manufactures ;
 No. 139, to the Committee of Claims.

The bill from the Senate (No 65) entitled " An act further to postpone the fourth instalment of deposit with the States," was read the first and second time, and the further consideration thereof was postponed until the eighth day of January next.

A motion was made by Mr. Chambers, that the House do reconsider the vote of this day, referring the bill from the Senate (No. 5) for the relief of the heirs of John Brahan to the Committee on the Public Lands ; which motion to reconsider was disagreed to by the House.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting information called for by the House on the 7th of July last, in respect to the past donations of public lands, the quantity surveyed, the plans for dividing it or its proceeds, the improvements most eligible in the present system of sales, with other matters of a character somewhat similar ; which letter was read ; when

A motion was made by William Cost Johnson, that the said letter be referred to a select committee, to consist of a member from each State ; and that 5,000 copies extra thereof be printed.

A motion was made by Mr. Casey, that the said letter be referred to the Committee on the Public Lands ; which motion takes precedence of the motion to refer made by Mr. Johnson ;

And, after debate,

The previous question was moved by Sherrod Williams, and being demanded by a majority of members present,

The said previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative.

The main question was then put, viz : Shall the said letter be referred to the Committee on the Public Lands ?

It passed in the negative, { Yeas, 51,
 { Nays, 130.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Bell
 Samuel Birdsell

Mr. Ratliff Boon
 John C. Brodhead

Mr. C. C. Cambreleng
 Zadok Casey

Mr. Reuben Chapman
Richard Cheatham
George W. Crabb
Caleb Cushing
Alexander Duncan
George H. Dunn
John Ewing
Jacob Fry, jr.
Albert Gallup
Rice Garland
Patrick G. Goode
William Graham
Thomas L. Hamer
Albert G. Harrison
William Herod



Mr. Benjamin C. Howard
Henry Johnson
Nathaniel Jones
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Arphaxed Loomis
Francis S. Lyon
Joshua L. Martin
William L. May
John Miller
Samuel W. Morris
Calvary Morris
John L. Murray

Mr. David Petrikin
John H. Prentiss
Sergeant S. Prentiss
James Rariden
Joseph Ridgway
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder
James B. Spencer
William Stone
Henry Swearingen
Hopkins L. Turney
Taylor Webster
Christopher H. Williams
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
Heman Allen
Hugh J. Anderson
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
John Calhoun
William B. Carter
John Chambers
Timothy Childs
John C. Clark
William K. Clowney
Walter Coles
Thomas Corwin
Robert Craig
Robert B. Cranston
John W. Crockett
Edward Curtis
Samuel Cushman
William C. Dawson
Thomas Davee
Edward Davies
Edmund Deberry
John Edwards
Franklin H. Elmore
George Evans
Horace Everett
James Farrington
Richard Fletcher
Isaac Fletcher
Henry A. Foster
James Garland
Joshua R. Giddings
James Graham

Mr. Seaton Grantland
Abraham P. Grant
William J. Graves
George Grennell, jr.
John K. Griffin
Elisha Haley
William Halsted
Robert H. Hammond
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Charles E. Haynes
Thomas Henry
Ogden Hoffman
Orrin Holt
Thomas B. Jackson
Jabez Jackson
William Cost Johnson
George M. Keim
John P. Kennedy
Hugh S. Legare
Levi Lincoln
Richard P. Marvin
Samson Mason
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
Charles F. Mitchell
William Montgomery
Joseph C. Noyes
George W. Owens
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
Luther C. Peck
Lancelot Phelps
Francis W. Pickens

Mr. Arnold Plumer
John Pope
David Potts, jr.
William W. Potter
Zadock Pratt
Harvey Putnam
Joseph F. Randolph
John Reed
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard
Mark H. Sibley
William Slade
William W. Southgate
Edward Stanly
Archibald Stuart
Charles C. Stratton
John Taliaferro
William Taylor
Francis Thomas
Waddy Thompson, jr.
Joseph L. Tillinghast
Obadiah Titus
George W. Toland
Isaac Toucey
George W. Towns
Joseph R. Underwood
Henry Vail
Abraham Vanderveer
David D. Wagener
John White
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Henry A. Wise
Thomas J. Word.

The question was then put, that the said letter be referred to a select committee, to consist of a member from each State,
And passed in the affirmative : whereupon

Mr. Johnson of Maryland, Mr. Davee of Maine, Mr. Atherton of New Hampshire, Mr. Cushing of Massachusetts, Mr. Tillinghast of Rhode Island, Mr. Holt of Connecticut, Mr. Allen of Vermont, Mr. Parker of New York, Mr. Aycrigg of New Jersey, Mr. Potter of Pennsylvania, Mr. Milligan of Delaware, Mr. Robertson of Virginia, Mr. Connor of North Carolina, Mr. Pickens of South Carolina, Mr. Haynes of Georgia, Mr. Menifee of Kentucky, Mr. McClellan of Tennessee, Mr. Hamer of Ohio, Mr. Johnson of Louisiana, Mr. Boon of Indiana, Mr. Prentiss of Mississippi, Mr. Snyder of Illinois, Mr. Lewis of Alabama, Mr. Harrison of Missouri, Mr. Yell of Arkansas, and Mr. Crary of Michigan, were appointed the said committee.

The question was then put on the remainder of the motion made by Mr. William Cost Johnson—that is, that five thousand copies extra of said communication be printed, and passed in the affirmative.

The Speaker laid before the House a letter from the First Comptroller of the Treasury, transmitting sundry statements received from the Third Auditor of the Treasury, viz :

Of such officers as have not rendered their accounts within the year, or have balances unaccounted for, advanced one year prior to the 30th September, 1838 ;

Of accounts which have remained unsettled, or on which balances appear to have been due more than three years prior to the 30th September, 1838 ;

An abstract of moneys advanced prior to the 3d of March, 1809, on the books of the late accountant of the War Department, and which remained to be accounted for on the 30th September, 1838 :

which letter and accompanying statements were ordered to lie on the table, and five thousand copies thereof extra were directed to be printed.

Mr. Pope presented, by leave, resolutions of the General Assembly of the State of Kentucky, passed on the 18th December instant, instructing the Senators and requesting the Representatives of that State in the Congress of the United States “to use their exertion to procure an armory to be erected by the General Government at some suitable point in Kentucky ;” which resolutions were referred to the Committee on Military Affairs.

The following engrossed bills, which originated in the House and remained undetermined at the close of the last session of Congress, were taken up for consideration under the fifteenth rule of the House, viz :

An engrossed bill (No. 131) for the relief of the legal representatives of Colonel George Gibson, deceased, was read the third time ; and,

On motion of Mr. McClure, the further consideration thereof was postponed until Saturday, the 18th of January next.

The House proceeded to the consideration of the motion made on the 16th of June, 1838, that the House do reconsider the vote on the question that the bill (No. 815) for the relief of the legal representatives of Thomas P. Harrison do pass ; when,

On motion of Mr. Allen, of Vermont, the further consideration of the subject was postponed until Saturday, the 18th of January next.

The House proceeded to the consideration of the engrossed bill (No. 253) for the relief of Josiah Strong and Samuel Remick ; which was read the third time ; and, after debate,

On motion of Mr. Cambreleng, the further consideration thereof was postponed until Saturday, the 18th of January next.

The House proceeded to the consideration of the engrossed bill (No. 382) for the relief of James Bailey ; which was read the third time ; when,

On motion of Mr. Cushman, the further consideration thereof was postponed until Saturday, the 18th of January next.

The House proceeded to the consideration of the engrossed bill (No. 411) for the relief of Pamela Brown ; which was read the third time ; when

A motion was made by Mr. Sherrod Williams that the further consideration thereof be postponed until Saturday, the 18th of January next : And, pending this motion,

The House, at half-past three o'clock, adjourned until Monday, the 31st instant, at twelve o'clock meridian.

MONDAY, DECEMBER 31, 1838.

The rule being suspended by a vote of two-thirds, for the purpose of receiving the same,

Mr. Garland, of Virginia, moved the following resolution, viz :

Resolved, That when this House adjourns to-day, it will adjourn to meet on Wednesday next, at twelve o'clock.

On the question that the House do agree to the resolution,
It passed in the affirmative.

On motion of Mr. Evans,

Resolved, That the Committee on Invalid Pensions be instructed to report a bill authorizing the certificate of a pension granted by act of June 28, 1838, to Bradley T. Jipson, to be issued to Bradbury T. Jipson, for whom said pension was intended by said act.

On motion of Mr. Evans,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of authorizing, under suitable regulations, postmasters to receive, in addition to the postage now payable, such amount on letters carried by mail, destined to be sent abroad, as may be required to be paid to packets or steam-ships for their transportation to foreign ports ; and such amount, also, as may be required to be paid for their transmission in foreign countries ; which additional amount shall be paid by the postmaster of the port from which such packets or ships may sail to the agents or persons by whom such letters may be forwarded.

On motion of Mr. Noyes,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of allowing the claim of Major Sylvester Churchill, of the United States army, for extraordinary services as inspector general with the army in Florida, Alabama, and Georgia, in the years 1837 and 1838.

On motion of Mr. Williams, of New Hampshire,

Resolved, That the Committee on Invalid Pensions be instructed to inquire as to the expediency of granting a pension to Elisha Hoit.

Mr. Cushman moved the following joint resolution ; which was read the first and second time, and, giving rise to debate, was laid over under the rule :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both Houses

concurring therein,) That the following article be proposed to the Legislatures of the several States as an amendment to the constitution of the United States, which, when ratified by the Legislatures of three-fourths of the said States, shall be valid as a part of said constitution, namely :

"That no person shall be capable of holding, or of being elected to, any office of honor, trust, or profit, either civil or military, legislative, executive, or judicial, under the Government of the United States, who shall hereafter fight a duel, or send or accept a challenge to fight a duel, the probable issue of which may be the death of the challenger or challenged, or shall be a second to either party, or shall in any manner aid or assist in such duel, or shall be, knowingly, the bearer of such challenge or acceptance."

On motion of -Mr. Grennell,

Resolved, That the report of the Secretary of War of the 23d of December last, on the "subject of the claims of the State of Massachusetts for militia services and expenditures during the late war with Great Britain," be referred to the Committee on Military Affairs.

On motion of Mr. Lincoln,

Resolved, That the Committee on the Militia be instructed to consider the expediency of increasing the annual appropriation by Congress, for the purpose of providing arms and military equipments for the whole body of the militia of the United States.

On motion of Mr. Lincoln,

Resolved, That the Committee on the Militia be instructed to consider the expediency of providing by law that the distribution of arms procured by virtue of the act making provision for arming and equipping the whole body of the militia of the United States, passed April 23, 1808, should be made according to the apportionment of the representation of each State and Territory in the Congress of the United States, or by some other rule of apportionment which shall, practically, be more equal and just, among the different States and Territories, in respect to their population, subject to the laws of Congress and of the States and Territories respectively, to enrolments in the militia, and the active performance of military duty therein.

Mr. Lincoln submitted the following resolution; and the rule being dispensed with, it was read, considered, and agreed to, viz :

Resolved, That the Secretary of War be directed to communicate to this House a statement of the quantity and description of arms which, since the conclusion of the last war with Great Britain, have been procured and distributed to the States and Territories respectively, pursuant to "An act making provision for arming and equipping the whole body of militia of the United States," passed April 23, 1808; and, also, to state by what rule of apportionment the arms have been distributed, the manner and times in which the returns of the militia have been received from the States and Territories; whether those returns have been made annually, and, in default of such annual returns, what rule has been adopted in making the distribution, and for what number of years any of the States have neglected to make such returns; and, also, that the Secretary communicate to this House an abstract of the latest returns of the number of militia in the States and Territories respectively, with their dates, together with an abstract of the quantity and dates of the issue of arms upon such returns.

On motion of Mr. Briggs,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of placing the name of Jacob Adams, of Massachusetts, on the pension-list.

On motion of Mr. Fletcher, of Massachusetts,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of amending the law in relation to the pay of jurors attending upon the courts of the United States.

Mr. Cushing moved the following resolution ; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the President of the United States be requested, if in his judgment not incompatible with the public interest, to communicate to this House—

1. The correspondence, if any, which has been had between the Government of the United States and that of Great Britain, or the military or civil authorities of either, in relation to the troubles in the British provinces of Upper and Lower Canada, and to alleged violations of neutrality on the part whether of Great Britain or the United States, or any of the officers, subjects, or citizens of each.

2. The correspondence had, or measures taken, by the Executive, if any, regarding citizens of the United States made prisoners of war at any time in any of the insurrectionary movements of Upper or Lower Canada.

3. Whether the Government of Great Britain has made reparation for the seizure and destruction of the steamboat *Caroline* within the waters of the United States, and the murder of American citizens on board the same, by a band of armed invaders from the province of Upper Canada, acting under the orders and authority of the colonial Government of said province.

4. Whether the Government of the United States has entered into negotiations with that of Great Britain for the purpose of arresting and preventing the further distribution of presents and payment of war-subsidies by the latter Government to the Indian tribes within the territorial limits and jurisdiction of the United States ; and, if so, what has been the result of the said negotiations.

5. Whether the Government of the United States has given to that of Great Britain the stipulated notice to annul and abrogate the convention of the 6th of September, 1827, under cover of which, and of the convention of the 20th October, 1813, the Hudson's Bay Company have proceeded, with permission or by connivance of the Government of Great Britain, to establish military posts in the territories of the United States beyond the Rocky mountains.

6. Whether the Government of the United States has taken any measures, and, if any, what, to adjust, settle, and mark the boundaries between the United States and the British provinces in North America, from St. Mary's falls, between lake Huron and lake Superior, and so northwardly and westwardly along the frontier of the State of Michigan and the Territories of Wisconsin and Iowa, to the Rocky mountains.

7. What correspondence, if any, the Government of the United States has had with that of Great Britain, or any of its authorities or officers, or with the Government of the State of Maine, in regard to the late survey or investigation of the Northeastern boundary-line of the United States by the Government of said State.

8. Whether any correspondence has recently passed between the British and American Governments relative to the free navigation of the navigable rivers conterminous to the United States and the British possessions in North America, or of navigable rivers running in part or in whole through the territories of both Governments; and, if so, the result of the same.

Mr. Cushing moved the following resolution; which was read, and laid on the table one day under the rule, viz:

Whereas, in the message of the President of the United States at the opening of the eighteenth Congress, it was, among other things, avowed and proclaimed as the settled national policy of the United States, that, "in the wars of the European Powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do;" that, "with the movements in this hemisphere we are, of necessity, more immediately connected;" that "we owe it, therefore, to candor and to the amicable relations existing between the United States and those Powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety;" that, "with the existing colonies or dependencies of any European Power we have not interfered, and shall not interfere; but with the Governments who have declared their independence, and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European Power, in any other light than as the manifestation of an unfriendly disposition towards the United States;" and that "it is impossible, therefore, that we should behold such interposition, in any form, with indifference:"

Resolved, therefore, That the President of the United States be requested to inform this House, if the same be not in his judgment incompatible with the public interest, what explanations the King of the French has rendered to the United States in relation to the recent blockade of a part the coast of the Mexican republic by France; the treatment of vessels of the United States, public or private, by the blockading squadron; the reduction of the castle of San Juan de Ulloa; and the ulterior views and designs of the French Government respecting the Mexican republic. Also, to inform the House whether he has proffered to either of the contending parties the mediation of the United States in the premises; and to communicate any correspondence on the subjects aforesaid, which may have passed between the Government of the United States and that of France.

Mr. Calhoun, of Massachusetts, moved the following resolution; and debate arising thereon, it was laid over under the rule:

Resolved, That no order, resolution, or rule of this House upon the subject of petitions, shall apply to resolutions from State Legislatures.

On motion of Mr. Tillinghast,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of reducing and so regulating postages on letters and papers carried by mail, as that the same may be made payable in money of the United States, dispensing with fractional parts of cents.

On motion of Mr Cranston,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of amending the law in relation to ship-letters, so as to make it the duty of the captain or other person having returned ship-letters to return them to the postmaster at the port where he shall arrive.

On motion of Mr. Toucey,

Resolved, That the Committee for the District of Columbia be instructed to inquire into the expediency of establishing a territorial government for said District.

On motion of Mr. Slade,

Resolved, That the Secretary of War be directed to communicate to this House a statement showing the number and amount of invalid pensions which have been relinquished under the pension act of the 18th of March 1818, and the number of pensioners having thus relinquished who are now on the pension-roll, with the annual amount of the pensions relinquished by them under the said act.

On motion of Mr. Hall,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of authorizing the Postmaster General to contract for carrying mails in steamboats, packets, or otherwise, between the United States and foreign countries; and also, between points without the limits of the United States; under such regulations and restrictions as shall be deemed necessary and proper.

Mr. Everett submitted the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the Secretary of War be directed to lay before this House a statement of the number of troops, from the army and marine corps, militia, and volunteers, employed in the Seminole war since its commencement; the terms of service; the number killed and wounded; and also, a statement of the amount of moneys expended in said war.

On motion of Mr. Bicknell,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the justice and expediency of granting a pension to John Keith, a soldier of the Revolution, and that the papers in this case now on file in the War Department be referred to said committee.

Also, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of granting a pension to Joanna Bartlett, the widow of Aaron Bartlett, deceased, a soldier of the Revolution; and that the papers in this case, now on file in the War Department, be referred to said committee.

On motion of Mr. Parker,

Resolved, That the Committee on Indian Affairs be instructed to inquire into the expediency of remunerating the legal heirs of William Anderson for property taken or destroyed by the Cherokee Indians about the year 1788; and that the papers on file of the House in relation thereto be referred to the same committee.

On motion of Mr. Grant,

Resolved, That the Committee on Military Affairs be directed to inquire into the expediency of repairing and rebuilding Fort Ontario, situated at Oswego, in the State of New York; and, with the view of making such inquiry, that said committee correspond with the Secretary of War, Major

General Alexander Macomb, and Colonel W. J. Worth, of the army, as to the probable expense of such repairs, and the importance of said fortification, as a military post, for the protection of the Northern frontier.

On motion of Mr. Marvin,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of causing such parts of lakes Ontario, Erie, St. Clair, Huron, Michigan, and Champlain, and the bays contiguous, and the rivers and straits connected with said lakes, to be surveyed, and accurate maps and charts of such surveys to be made, for the security and safety of the navigation and commerce on said waters.

On motion of Mr. Taylor,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of so altering the laws relating to bounty lands as to allow those entitled to them to locate on any public lands subject to entry at private sale, or to receive land scrip in lieu of bounty land.

On motion of Mr. Russell,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of rebuilding the fortifications on Carleton island, at the outlet of lake Ontario, in the county of Jefferson, in the State of New York.

On motion of Mr. Cambreleng,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of granting a pension to Elizabeth Fitch, the widow of a revolutionary soldier.

On motion of Mr. Bronson,

Resolved, That the Committee on Invalid Pensions be instructed to inquire into the expediency of allowing a pension to Peter A. Myers, late a soldier in the army of the United States.

On motion of Mr. Pratt,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of authorizing a survey of the mouth of the Catskill creek, in the Hudson river.

On motion of Mr. Brodhead,

Resolved, That the Committee on Revolutionary Claims be instructed to inquire into the expediency of allowing to Elnathan Sears, of the State of New York, the amount, equal to five years' pay, under the resolution of Congress of the 22d March, 1783.

On motion of Mr. Clark,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the propriety of granting a pension to Frederick Hopkins, and that the papers on file in regard to such application be referred to said committee.

On motion of Mr. Edwards,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of increasing the pension of David Morsee; and that the documents in support of his claim be referred to said committee.

Mr. Loomis moved the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the following be adopted as a part of one of the standing rules of the House, to be added to the 61st rule: "All appropriation

bills for special objects, other than private bills, shall be by separate bill for each specific object, and accompanied by a report or brief statement of the particular reasons and grounds which render such appropriation necessary."

Mr. Curtis moved the following resolution; and the rule being dispensed with, it was read, considered, and agreed to, viz:

Resolved, That the Secretary of the Treasury be requested to inform the House of Representatives of the causes why it was not in the power of the Secretary of the Treasury to ascertain, by means of the weekly and monthly returns, and other records in his office, the defalcation of the late collector of New York, when it first commenced, or at the different settlements afterwards, before his term of office expired; that the Secretary of the Treasury be requested, also, to communicate to this House a copy of his circular, addressed to the collector of New York in November, 1835, and copies of all the returns made by said collector in compliance with said circular; and also to inform the House of Representatives whether the practice of entering on the books of the Secretary of the Treasury, kept in his own office, the quarterly accounts current of the customs, as soon as received by the First Auditor, has been discontinued, and when discontinued; and whether the practice, by the Secretary of the Treasury, of calling for the account current of the customs received at the office of the First Auditor, and the quarterly accounts of collectors, and of comparing the same with the several returns rendered to the Secretary by collectors in conformity with the requisitions of his circular of 14th October, 1818, and repeated on the 12th of November, 1835, has been discontinued by the Secretary of the Treasury, and when discontinued; and, also, whether the practice of properly arranging and comparing the said last-mentioned returns of collectors with each other, in the office of the Secretary of the Treasury, has been discontinued, and when discontinued; and that the Secretary of the Treasury also inform this House whether, in his opinion, the defalcation of the late collector of New York could have been concealed from the naval officer of that port, if the said naval officer had "examined the collector's abstracts of duties, and other accounts of receipts, bonds, and expenditures," with ordinary and proper caution, before certifying the same, and had faithfully performed the duties imposed by law upon naval officers; and that the Secretary of the Treasury also communicate to this House copies of all correspondence between the Treasury Department and William M. Price, late district attorney of the United States for the southern district of New York, in relation to any bond or bonds executed by the securities of said Swartwout for the faithful performance of his duties as collector of New York; and also to communicate copies of all bonds executed to the United States by the sureties of said Swartwout.

On motion of Mr. Andrews,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the propriety of granting a pension to Elizabeth Davidson, widow of John Davidson, deceased.

On motion of Mr. Peck,

Resolved, That the Committee on Revolutionary Claims be directed to inquire into the expediency of reporting a bill authorizing the Secretary of the Treasury to issue scrip to David Searle on a United States military land warrant for 100 acres, now held by said Searle as the assignee of Jotham Wheelock, deceased.

On motion of Mr. De Graff,

Resolved, That the Committee on Roads and Canals be instructed to inquire into the expediency of making an appropriation for improving the navigation of the river Suwannee, in Florida, in accordance with a resolution of the Legislature of that Territory.

On motion of Mr. Childs,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of regulating the postage on letters so as to conform the same to the rates recommended to the last Congress by the Postmaster General.

On motion of Mr. Mitchell,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of making an appropriation to preserve the public works at Fort Niagara, in the State of New York, from destruction, and to put the same in complete repair.

On motion of Mr. Gray,

Resolved, That the Committee on Invalid Pensions be instructed to inquire into the propriety of granting William Steele a pension.

Mr. Foster moved the following resolution; and the rule being dispensed with, it was read, considered, and agreed to, viz :

Resolved, That the Secretary of the Treasury be instructed to report to this House the amount of money due to the Government from the late deposit banks, on account of the public moneys on deposit with them at the time of their late suspension of specie payments ; specifying the name and place of business of each such bank, the amount due from each, and how received ; and when (by the terms of any agreement) payments are to be made to the Government.

On motion of Mr. Sibley,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of establishing a port of entry at the mouth of the Suwannee, in Florida, as requested by a resolution of the Legislative Council of that Territory.

On motion of Mr. Halsted,

Resolved, That the Committee on Naval Affairs be instructed to inquire into the propriety of paying to William Fabre his share of prize-money, as one of the sailors on board the Saratoga, under Commodore McDonough, in the battle on lake Champlain, of the 11th September, 1814.

On motion of Mr. Yorke,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making an appropriation for the erection of a breakwater on Crow shoals, at Cape May roads, in the Delaware bay.

On motion of Mr. Petrikin,

Resolved, That the Committee on Invalid Pensions be instructed to inquire into the expediency of granting a pension to Benjamin F. Wesley, of Luzerne county, Pennsylvania, who was wounded at Queenstown during the late war with Great Britain ; and that the papers on the files of this House be referred to said committee.

On motion of Mr. Hammond,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of granting a pension to Christian Brougher, of Pennsylvania, a soldier of the revolutionary war.

On motion of Mr. McKennan,

Resolved, That the Committee of Ways and Means be directed to inquire into the expediency of making an appropriation for the erection of guard-fences on the Cumberland road east of the Ohio, and for refunding to the commissioners of Maryland, Pennsylvania, and Virginia the sums advanced out of the tolls received for the completion of toll-houses and toll-gates on the said road; and also for widening the said road at "Downard's spring," on the western side of Laurel hill, in Fayette county, Pennsylvania; and that House document No. 134, 2d session of 25th Congress, be referred to the said committee.

On motion of Mr. Wagener,

Resolved, That the Committee on Military Affairs be requested to inquire into the expediency of repealing so much of an act approved March 2, 1833, "to improve the condition of the non-commissioned officers and privates of the army and marine corps of the United States, and to prevent desertion," which revives the punishment of stripes and lashes for that offence; and the rules and articles for the government of the armies of the United States, which authorizes the infliction of corporeal punishment by stripes or lashes.

On motion of Mr. Henry,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of so changing or modifying the law with relation to postage that all public newspapers shall be carried in the mail free of all charge, within the limits of the counties where they are respectively printed and published.

Mr. Kennedy submitted the following resolutions, with the preamble thereto prefixed, which were read; and debate arising thereon, they were laid over, under the rule, viz:

There having been well-founded complaints, from divers quarters, of manifold corrupt practices in the holding of the late elections, which corrupt practices are said chiefly to have consisted in attempts to bribe some of the voters in said elections, by means both direct and indirect; in the open and active interference of the officers and agents of the General Government in the conduct of the said elections; and in the employment of threats, blows, and riots, designed to prevent the lawful exercise of the privilege of voting:

And as the preservation of the purity of the elective franchise is of the deepest concern to the safety of republican government: and as it is the duty of the National and State Legislatures to guard the right of suffrage against all improper influences; to preserve it from all official interference; from bribery, both open and secret; from all practices that have the effect to hinder or prevent the free and fair expression of the popular will: and as it is the especial duty of Congress to look to "the correction of those abuses which have brought the patronage of the Federal Government into conflict with the freedom of elections:"

Therefore, resolved, That a select committee, to consist of — members, be appointed by the Chair; and that it shall be their duty to inquire into the existence of such abuses as, by common report, are charged to have been practised in the exercise of the elective franchise in various quarters of this Union; and that, for the purpose of this inquiry, said committee be authorized, if they should deem it necessary, to send for persons and papers.

Resolved, That said committee be instructed to inquire into the expediency of this House adopting as a rule of decision for settling the validity of contested elections, some provision or regulation which, with suitable limitations, shall in effect determine that actual bribery practised in any election for a seat in this House by the reputed successful candidate, or by his friends or supporters, (the same being clearly proved to have procured for such candidate a certain number of votes,) shall vitiate said election, and be held as conclusive ground for setting the same aside, and for referring it again to the people: that said committee be also instructed to inquire into the expediency of this House adopting as a rule of decision in cases of contested elections, some provision or regulation which, with suitable limitations, shall in like manner determine any election to be void, and proper to be referred again to the people, wherein it shall be made to appear by ample proof that a certain number of voters friendly to the successful candidate in such election shall have been prevented, by threats, blows, or riots, from casting their votes in said election.

Resolved, further, That said committee be instructed to report a bill to this House for the remedying of all such disorders as the experience of past years has shown to have disturbed or affected the freedom and fairness of elections, the remedy whereof may be within the constitutional power of Congress: and that said committee be especially directed to incorporate into said bill suitable provisions or clauses, by which it may be enacted that the salaries of all officers of the General Government, and all stipends, commissions, wages, or emoluments, agreed to be paid by the Government to any of the public servants or agents appointed by the Executive, shall be subject to the condition that the said officers, agents, or servants shall abstain from the exercise of any kind of interference with the elections either of the Federal Government or State Governments, further than the quiet and orderly casting of their respective individual votes, under the penalty of forfeiting, for a specified period, one-half of their salaries, stipends, commissions, or other compensation as aforesaid: and that every officer, agent, or servant of the General Government, appointed by the Executive thereof, shall be rendered subject to the said forfeiture, who shall be proved, before some competent judicial tribunal, and upon the verdict of a jury, to have busied himself in any manner whatever in the ordering, adjusting, or proceeding of any public meeting held with a view to the promoting of any political election, or to have attended such meeting knowing its character, or to have subscribed any sum of money for the defraying of the expenses of any such election, or to have attended at any polls on the day of such election, and there have employed himself in procuring the voters or others to vote, or to have joined in any processions, meetings, or assemblages, got up for purposes connected with any such election.

Mr. Thomas moved the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the rules of the House be amended, by adding to the twentieth rule the words following, viz:

“And on the first and third Friday of each month, the calendar of private bills shall be called over, and the bills to the passage of which no objection shall then be made, shall be first considered and disposed of.”

Mr. William Cost Johnson moved the following resolution:

Resolved, That the Select Committees on the subjects of the national

foundry, and on the public lands, be allowed a committee clerk, when, in the judgment of said committees, they may think it necessary, who shall only receive pay for days when actually in the service of the committees.

And, on the question that the House do agree to the resolution,
It passed in the negative.

On motion of Mr. Worthington,

Resolved, That the Committee on Revolutionary Claims be instructed to inquire into the propriety of allowing to the heirs of Edward Pannell the amount due on a certificate signed by Lord Butler, assistant deputy quartermaster general of the army of the United States in the revolutionary war.

On motion of Mr. Morgan,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of so extending the provisions of the act of Congress entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the Revolution," passed June 7, 1832, as to provide, for the term of five years only, a pension for all such officers and soldiers of the United States and militia of the States as were engaged in the Indian wars between the year 1783 and the treaty of Greenville, with the Indians, in the year 1795.

On motion of Mr. Beirne,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of replacing William Mead, of Logan county, on the pension-roll.

On motion of Mr. Garland, of Virginia,

Resolved, That the Committee on Naval Affairs, be instructed to inquire into the expediency of constructing steam ships for the naval service of the United States.

On motion of Mr. Banks,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of establishing a port of entry at the town of Fredericksburg, in the State of Virginia.

On motion of Mr. Joseph Johnson,

Resolved, That the Clerk be instructed to dispose of the damaged useless stationary now on hand, on the best terms he can, either at auction or in exchange for other stationary.

Mr. Wise submitted the following resolution; which was read, and, debate arising thereon, it was laid over, under the rule, viz :

Resolved, That a select committee, to consist of nine members, and to be elected by ballot, be constituted, with power to send for persons and papers, to inquire and report whether there are sufficient grounds on which to found an impeachment, by this House, of Levi Woodbury, the Secretary of the Treasury of the United States.

Mr. Lewis Williams, of North Carolina, submitted the following resolution; which giving rise to debate, it was laid over, under the rule, viz :

Resolved, That the Select Committee lately appointed on the subject of the public lands, be instructed to inquire into the expediency of changing the mode for selling said lands, so as to require that all the bids of purchasers shall hereafter be made or proposed in writing, in the same manner as bids are now made for contracts in the Post Office Department; and that they inquire into the frauds that have been practised in the sale of public lands, and to report to this House a remedy therefor.

On motion of Mr. Graham, of North Carolina,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of authorizing the militia to be called into the public service for a longer term than three months; and that they extend the term of service to twelve months, if they shall be so long required.

Resolved, further, That said committee inquire into the expediency of increasing the pay of militia soldiers to eight dollars per month.

Mr. McKay submitted the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the Secretary of the Treasury inform this House whether the accounts of any, and if any, which, of the public officers whose names were reported by him on the 17th of January last as defaulters, have, since that report was made, been settled either in whole or part, specifying in each case the nature of the settlement.

Mr. Montgomery submitted the following resolutions; which were read, and debate arising, they were laid over, under the rule, viz:

1. *Resolved*, That the annual expenditures of this Government ought not to exceed fifteen millions of dollars in time of peace.

2. *Resolved*, That the appropriations to be made by the present session of Congress for the support of the Government for the year 1839, should not exceed the sum of fifteen millions of dollars, exclusive of the revenue derived from the Post Office Department.

3. *Resolved*, That the Clerk of this House shall hereafter cause the appropriation bills to be printed with lines and figures showing the amount contained in each item of appropriation, and, after their second and third reading, add up the amount contained in each bill, and keep the same on his table, ready for the examination of the members of this House at all times.

Mr. Stanly submitted the following resolutions; which were laid on the table, under the order of the 12th of December instant:

Resolved, That, in the opinion of this House, petitions praying for the abolition of slavery in the District of Columbia, in the Territories, or in the States, with "a view" of affecting slavery within the District of Columbia, or in the States, or in the Territories, ought not to be received, entertained, or considered by the House.

Resolved, That Congress has no right to do that indirectly which it cannot do directly; and that the agitation of the subject of slavery in the District of Columbia, or in the Territories, or in any manner, with a view of disturbing or overthrowing that institution either in the District of Columbia, or in the Territories, or in the several States, is equally unconstitutional and beyond its legislative competency, and is an infringement of the rights of the States, and a breach of the public faith on which they entered into the confederacy.

Resolved, That all attempts on the part of Congress to abolish slavery in the District of Columbia or in the Territories, or to "regulate" the removal of slaves from State to State, or to discriminate between the institutions of one portion of the confederacy and another, either with a view of disturbing or overthrowing that institution in the District of Columbia, or in the Territories, or in the States, are in violation of the constitution, destructive of the fundamental principle on which the union of these States rests, and beyond the jurisdiction of Congress; and that, as such, no petition, memorial, resolution, proposition, or paper, touching or relating

in any way, or to any extent whatever, to slavery as aforesaid, or to the abolition thereof, shall be entertained or considered by this House.

Resolved, That "the right of the people peaceably to assemble and to petition the Government for a redress of grievances," as secured by the first article of the amendments to the constitution, does not give to citizens of non-slaveholding States the right to petition Congress to interfere with or abolish slavery, either in the District of Columbia, or in the Territories, or in the States, inasmuch as slavery is denied by the citizens of the slaveholding States to be a "grievance," and was not so considered at the time of the formation of the constitution.

On motion of Mr. Augustine H. Shepperd,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of restoring William Cummings and Christopher Eaton, of North Carolina, to the pension-roll.

On motion of Mr. Legare,

Resolved, That the Committee on Naval Affairs, to which was referred the memorial of the Charleston Chamber of Commerce, in relation to nautical schools, be requested to take the subject into consideration, and report thereon in the course of the session.

Mr. Pickens moved the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the 16th joint rule shall not be repealed at any period of the session except by the vote of two-thirds of this House.

On motion of Mr. Campbell, of South Carolina,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of allowing a pension to Jehu Kolb, and that the papers presented upon that subject at the last session of Congress be again referred to the said committee.

On motion of Mr. Haynes,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of increasing the compensation of the marshal of the district of Georgia, as also of amending the law providing for the resignation of the marshal so as to compel the deputy to act until another marshal is appointed; and in case there be no deputy, authorizing other person or persons to serve process, such service to be verified by affidavit.

On motion of Mr. Owens,

Resolved, That the Committee of Claims be directed to inquire into the expediency of allowing compensation to Mrs. Eliza Mackay, of the city of Savannah, State of Georgia, for the loss of property in the service of the United States.

On motion of Mr. Owens,

Resolved, That the Committee on Revolutionary Pensions be directed to inquire into the expediency of allowing a pension to Catharine Rhodes, of the city of Savannah, State of Georgia, the widow of a revolutionary officer.

Mr. Sherrod Williams moved the following resolution; which was read, viz :

Resolved, That the Secretaries of State, Treasury, War, and Navy, and the Postmaster General, be, and they are respectively, required to report and communicate to this House, as soon as practicable, what were the expenses of their respective Departments, including every item of expenditure, in the year commencing on the 4th day of March, 1828, and ending on the 3d day

of March, 1829, and so on, for each successive year, up to the 4th of March, 1838, and from thence up to the 1st day of January, 1839, placing each item of expenditure under its proper head; and, further, to report and communicate the number of clerks and other officers of every description whatever, belonging to their respective Departments, with the salary or pay of each in each year, separately, commencing on the 4th of March, 1828, and so on, for each successive year, up to the 4th day of March, 1838, and from thence up to the 1st day of January, 1839; and, further, to report how much (if any thing) has been allowed as extra pay to any clerk or other officer of their respective Departments at any time within the foregoing periods, and for what services these extra allowances were made.

The said resolution being read, a motion was made by Mr. Sherrod Williams that the rule in relation to the order of business, which requires the said resolution to lie over one day, be suspended, and that the House do now proceed to the consideration of said resolution.

And on the question that the rules be suspended for the purpose aforesaid,

There appeared, { Yeas, 106,
 { Nays, 62.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
John Bell
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
Andrew Buchanan
William B. Calhoun
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
Richard Cheatham
Timothy Childs
John C. Clark
William K. Clowney
Walter Cotes
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Curtis
Edward Darlington
William C. Dawson
Edward Davies
Edmund Deberry
George H. Dunn
Franklin H. Elmore
George Evans
Horace Everett
John Ewing
Richard Fletcher

Mr. Rice Garland
Joshua R. Giddings
Patrick G. Goode
William Graham
Seaton Grantland
William J. Graves
Hiram Gray
George Grennell, jr.
John K. Griffin
William Halsted
James Harlan
Albert G. Harrison
Alexander Harper
Richard Hawes
Thomas Henry
William Herod
Ogden Hoffman
Robert M. T. Hunter
Henry Johnson
William Cost Johnson
John P. Kennedy
Dixon H. Lewis
Levi Lincoln
Francis S. Lyon
Richard P. Marvin
James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mitchell
Calvary Morris
Joseph C. Noyes

Mr. Charles Ogle
Luther C. Peck
John Pope
David Potts, jr.
Sergeant S. Prentiss
James Rariden
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Mark H. Sibley
William Slade
William W. Southgate
Edward Stanly
William Stone
Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
John White
Lewis Williams
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
Reuben Chapman
Henry W. Connor
Isaac E. Crary
Samuel Cushman
John I. De Graff
George C. Dromgoole
Alexander Dunean
John Edwards
Henry A. Foster
Jacob Fry, jr.
Albert Gallup
James Graham
Elisha Haley

Mr. Robert H. Hammond
Thomas L. Hamer
Edward B. Hubley
Thomas B. Jackson
Daniel Jenifer
Nathaniel Jones
George M. Keim
Gouverneur Kemble
Hugh S. Legare
Daniel P. Leadbetter
Henry Logan
Arphaxed Loomis
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
Ely Moore
Samuel W. Morris
William H. Noble
George W. Owens
Amasa J. Parker

Mr. William Parmenter
David Petrikin
Arnold Plumer
Zadock Pratt
Harvey Putnam
Daniel Sheffer
Matthias Sheplor
Adam W. Snyder
James B. Spencer
Henry Swearingen
William Taylor
Obadiah Titus
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Jared W. Williams
John T. H. Worthington
Archibald Yell.

Two-thirds not voting in the affirmative, the question was lost.

The said resolution was then laid on the table one day, under the rule.

On motion of Mr. Calhoun, of Kentucky,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of increasing the pension of Thomas Kincheloe.

On motion of Mr. Harlan,

Resolved, That the Committee on the Post Office and Post Roads inquire into the expediency of reporting a bill to abolish postage on newspapers and periodical publications.

Mr. Southgate submitted the following joint resolution ; which was read, and, debate arising, it was laid on the table one day, under the rule :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein,) That the following amendment to the constitution of the United States be submitted to the Legislatures of the several States, which (when ratified by the Legislatures of three-fourths of the States) shall form a part of the constitution of the United States, to wit :

“That if any officer of the United States shall embezzle or in any way convert to his own use the money of the United States confided to his care, he shall, on conviction thereof before any of the courts of the United States by the verdict of a jury and judgment of the court, be declared forever thereafter incapable of holding any office of honor, trust, or profit under the United States, or of exercising the right of suffrage.”

Mr. Underwood submitted the following joint resolutions ; which were read, and, debate arising, they were laid over, under the rule, viz :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be requested to open a correspondence with the Government of the confederacy of Central America, on the subject of connecting the commerce of the Gulf of Mexico with that of the Pacific ocean by means of a railroad or a canal, or both ; and the propriety of authorizing the construction of a railroad or canal by the united capital of the citizens of the two countries.

Resolved, That the President be requested to enter into treaty stipulations with said Government, providing suitable guaranties for the protection of the interests of our citizens who may invest capital in the construction of such railroad or canal.

Resolved, That the President be requested to depute some one or more officers of the engineer corps to survey any route or routes for a railroad or canal connecting the Gulf and Pacific, provided said Government consent thereto.

On motion of Mr. Christopher H. Williams, of Tennessee,

Resolved, That the Committee of Claims be instructed to inquire into the expediency of allowing the claim of Captain R. P. Neely's company for additional pay on account of services rendered in the Cherokee nation, under the orders of Major General Scott.

On motion of Mr. Stone,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of increasing the pay of the volunteers or draughted militiamen who are now, or may hereafter be, called into the service of the United States; also, those who are now, or may have been, employed by the General Government for the purpose of removing the Cherokees out of the States of Georgia, North Carolina, Tennessee, and Alabama, and settling them west of the Mississippi, as well as those volunteers who have just returned home from the Florida war; also to provide by law for the payment of all horses and equipages at their first valuation, which have either been turned over to the quartermaster's department by order of General Jesup, or which have been lost by death, or become unfit for use on account of the Government having failed to furnish forage sufficient to sustain them.

On motion of Mr. Crockett,

Resolved, That the Committee on Indian Affairs be instructed to inquire into the expediency of allowing the claim of George G. Allen against Pryor Frame under the treaty of the 24th of May, 1834, with the Chickasaw Indians.

On motion of Mr. Shields,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of changing the law relative to issuing, examining, and signing land patents, and whether the duties now performed by the signer of patents may not be properly assigned to the Commissioner of the General Land Office.

On motion of Mr. Turney,

Resolved, That the Committee of Claims be instructed to inquire into the expediency of paying to Preston Frazier the value of a horse lost in the service of the United States in Florida, and that the accompanying papers be referred to said committee.

On motion of Mr. Campbell, of Tennessee,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of satisfying the bounty land warrants of soldiers of the late war, either in scrip, or by laying off a district of the public land for the location of such warrants.

On motion of Mr. Joseph L. Williams, of Tennessee,

Resolved, That the Committee on the Judiciary inquire into the expediency of providing by law for the holding of a special term of the circuit court of the United States for the district of East Tennessee at Knoxville, on the third Monday of April next, by the district judge of said district,

at which term to hear and try all issues and matters cognizable at the regular term of said court ; and that said committee inquire, also, into the expediency of authorizing the judges of the circuit courts of the United States to direct said courts to be adjourned over to some future day, designated in a written order to the clerk of either of said courts, in case of the prevalence of a dangerous and general disease at the place where said court is usually holden ; and that the adjournment over, by the clerk, in the absence of the judges, shall have the same force and effect as if the judges had been present.

On motion of Mr. Campbell, of Tennessee,

Resolved, That the Committee of Claims be instructed to inquire into the expediency of passing a law for the payment of the staff of the Governor of the State of Tennessee while engaged in mustering and organizing into regiments the Tennessee volunteers called into the service of the United States in the summer of the year 1838, for the Cherokee country.

On motion of Mr. McClellan, of Tennessee,

Resolved, That the Committee on Invalid Pensions be instructed to inquire into the expediency of granting to George Miller and John Steers pensions as invalids.

On motion of Mr. Harper,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of reducing the number of land offices in the State of Ohio.

On motion of Mr. John W. Allen, of Ohio,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making an appropriation for the commencement of a breakwater at the harbor of Cleveland, in the State of Ohio, on the plan suggested in the report of Captain Henry Smith, on the files of the War Department.

On motion of Mr. Corwin,

Resolved, That the Committee on the Public Lands be instructed to inquire and report to this House what quantity of land, if any, is due to the several townships in the State of Ohio within the territory purchased by the United States of the Indian tribes since the 3d of March, 1803, and what further legislation, if any, is necessary to enable said townships to obtain the benefit of the grant of said lands as provided in the act of Congress approved March 3, 1803, entitled "An act in addition to and in modification of the propositions contained in the act entitled 'An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and for other purposes.' "

Mr. Bond submitted the following resolution ; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the Secretary of the Treasury be directed to furnish to this House a copy of the quarterly accounts of Samuel Swartwout, late collector of the port of New York, in which are included credits by said collector for three several Treasury warrants, to wit :

1834, August 23, No. 9677	-	-	-	-	\$7,637 21
1835, May 2, No. 837	-	-	-	-	21,895 15
1835, June 22, No. 993	-	-	-	-	9,707 60

On motion of Mr. Hamer,

Resolved, That the Committee on the Judiciary be instructed to inquire

into the expediency of increasing the salary of the judge of the district of Ohio.

On motion of Mr. Hunter, of Ohio,

Resolved, That the papers in the cases of David Carswell, James Thompson, and Joseph Wilson, be referred to the Committee on Revolutionary Pensions.

Mr. Johnson, of Louisiana, submitted the following resolution; and the rule which requires it to lie on the table one day being dispensed with, it was read, and agreed to, viz :

Resolved, That the Secretary of War report to this House the progress made in the construction of Fort Livingston, at Grande Terre, Louisiana; the sum expended in the said work; the amount yet applicable to the object; and, also, the causes which have retarded the completion of the said fortification.

On motion of Mr. Rice Garland, of Louisiana,

Resolved, That the Committee on Private Land Claims be instructed to inquire into the expediency of providing by law for the adjustment of all the unsettled land claims in Louisiana, particularly the claims of the Baron Bastrop, the Marquis de Maison Rouge, Elisha Winters and others; Davenport, Barr, and others; the claims derived from the Spanish Government in that part of Louisiana east of the Mississippi and the island of Orleans called Florida, whilst said Government was in actual possession of said territory; and all other claims that have been presented to the proper officers and by them recommended for confirmation, or which have not been acted on by said officers since the date; and that all the documents on file relating to the same be referred to said committee.

On motion of Mr. Rariden,

1. *Resolved*, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of allowing Thomas J. Collins additional compensation for transporting the mail on route 2521, in the year 1837.

2. *Resolved*, That the Committee of Claims be instructed to inquire into the expediency of allowing Charles Sumpson compensation for property destroyed by the Indians in 1814, whilst in treaty with the United States.

On motion of Mr. Dunn,

Resolved, That the Committee on the Public Lands inquire into the expediency of providing by law for the issue of land scrip for the satisfaction of such warrants for bounty land as have issued, or may hereafter issue, for revolutionary or other military services.

On motion of Mr. Ewing,

Resolved, That the Committee of Claims be instructed to inquire into the expediency of abridging its onerous duties, by reviving such sections of the act passed the 9th day of April, 1816, entitled "An act to authorize payment for property lost, captured, or destroyed during the last war, as may be deemed proper, and to embrace horses lost and private property consumed by mounted rangers, and militia, and volunteers in the authorized campaign of 1811, previous to the formal declaration of war in 1812; also, into the expediency of authorizing and granting to the officers and privates in the service of the United States as rangers, volunteers, and militia, for six months, altogether, from and after the date of the order given to the army to imbody to march to Tippecanoe, in 1811, to the end of the

war, scrip sufficient to enter a tract of public land each, apportioned according to rank.

Mr. Prentiss, of Mississippi, submitted the following resolutions which were read, and, debate arising, they were laid over, under the rule, viz :

1. *Resolved*, That the power of designating the *time, place, and manner* of elections for Representatives is expressly given, by the Federal constitution, to the Legislatures of the States, respectively, subject to no supervision or control, except by law of Congress only ; and that, in the exercise of this power, the State Legislatures may constitutionally fix the *time* of election subsequently to the expiration of the Congress preceding that for which such election is to be holden.

2. *Resolved*, That neither the Federal nor State Executive can constitutionally anticipate, supersede, or change the times of election as fixed by the State Legislatures.

3. *Resolved*, That this House has not the constitutional power, either legislative or judicial, by its own action alone, to annul, suspend, or impede the operation of an act of a State Legislature fixing the time, place, and manner of election for Representatives.

4. *Resolved*, That no resolution or action of this House can deprive the people of any State of their constitutional right of electing Representatives to Congress at the *time* designated for that purpose by the Legislature of such State ; that the claim of such power, on the part of this House, would be a dangerous encroachment upon the rights of the States, and its exercise a direct and palpable violation of the constitution.

5. *Resolved*, That the constitutional jurisdiction of this House over the subject of representation is a limited one, embracing the questions of election, qualification, and return, only ; and that, in judging of election, this House is bound to judge in accordance with the act of the State Legislature regulating the time, place, and manner thereof.

6. *Resolved*, That in accordance with a constitutional act of the Legislature of the State of Mississippi, prescribing the time, place, and manner of election for Representatives to Congress, and in compliance with all the provisions of said act, an election was holden in November, 1837, for two Representatives from said State to the 25th Congress, at which election S. S. Prentiss and Thomas J. Word were duly elected, possessed the constitutional qualifications, and were duly and legally returned.

7. *Resolved*, That the resolution of this House, adopted on the 5th day of February last, denying to said Prentiss and Word seats in this House as members thereof, was a dangerous attack upon the elective franchise, in derogation of the rights of the State of Mississippi, in violation of the constitution of the United States, and a mischievous example to future times.

8. *Resolved, therefore*, That said resolution be, and the same is hereby, rescinded.

On motion of Mr. Word,

Resolved, That the Select Committee on the Public Lands be instructed to inquire into the expediency of so amending the laws relating to the disposition of the said lands as to restrict the sales of the same to bona-fide settlers thereon ; and, also, to limit the purchase by the same individual to one section of land at most ; and that said committee report.

Mr. May presented to the House a resolution adopted by the General Assembly of the State of Illinois, "requesting the Senators and Represent-

atives of that State in the Congress of the United States to procure the passage of a law or resolution by Congress, at its present session, directing a survey of the navigable waters of the Northern and Western lakes, together with the navigable rivers flowing out of the same, as soon as may be compatible with the convenience of the War Department, and that a chart be made of the same for the benefit of the commerce of those lakes ;" which resolution was referred to the Committee on Commerce.

On motion of Mr. Casey,

Resolved, That the Committee on Roads and Canals be instructed to inquire into the expediency of making an appropriation for the improvement of the navigation of the Great Wabash river.

Mr. Snyder moved the following resolution ; and the rule which requires the same to lie on the table one day being dispensed with, it was read, considered, and agreed to, viz :

Resolved, That the Commissioner of the General Land Office communicate to this House the quantity of lands belonging to the General Government in that part of the Edwardsville and Kaskaskia districts, in the State of Illinois, which comprises the American bottom, from Wood river to the mouth of the Kaskaskia river ; also, the number of years said land has been subject to entry.

On motion of Mr. Downing,

Resolved, That the Committee on the Territories be instructed to inquire into the expediency of making an appropriation to enlarge or reconstruct the public buildings for the accommodation of the legislative body of the Territory of Florida.

Mr. Chapman, of Alabama, submitted the following resolution ; and debate arising thereon, it was laid over, under the rule :

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of amending the pre-emption law of the 22d day of June last, so as to extend its provisions to all persons settled on the public lands during the year 1838 ; also, to dispense with the oath required to be taken under the said law.

On motion of Mr. Lyon,

Resolved, That the Committee of Ways and Means inquire into the expediency of making an appropriation sufficient to complete the marine hospital authorized to be erected in the city of Mobile.

On motion of Mr. Lyon,

Resolved, That the communication from Samuel Earle, a soldier of the Revolution, enclosing the sum of one hundred and fifty seven dollars, in continental money, be referred to the Committee on Revolutionary Claims, with instructions to inquire into the nature and extent of his claim, and into the expediency of increasing his rate of pension.

Mr. Martin presented a petition of James H. Gamble, of the State of Alabama, heir of Edmond Gamble, deceased, a lieutenant in the revolutionary army, praying to be allowed and paid the five years' full pay as the commutation of half pay for life to which the said Lieutenant Edmond Gamble was entitled as an officer aforesaid ; which petition was referred to the Committee on Revolutionary Claims.

On motion of Mr. Crabb,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing by law a post

route direct from the seat of Government of the State of Alabama, by way of the town of Gainesville, in said State, to the seat of Government of the State of Mississippi ;

Also, that the said committee be instructed to inquire into the expediency of establishing by law a post route direct from Greensboro', by way Livingston, in said State of Alabama, to the seat of Government of the State of Mississippi ;

Also, from Livingston, in the county of Sumpter, through the southwestern part of said county, (the nearest and best route,) by way of Washington court-house and the ridge road, to the city of Mobile ;

Also, from Lowesville, in Madison county, to Trenton, in Jackson county, in the State of Alabama.

On motion of Mr. Miller,

Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of making an appropriation for the further improvement and completion of the harbor of St. Louis, Missouri ; also, an appropriation for the improvement of the navigation of the Mississippi river, from the mouth of the Ohio to the mouth of the Missouri river ; and also an appropriation for the improvement of the navigation of the Missouri river from its mouth as far up said river as Fort Leavenworth.

Mr. Miller presented a petition of Richard Graham and John O'Fallon, of the State of Missouri, sureties of Elias T. Langham, surveyor of the lands of the United States in the States of Illinois and Missouri, praying that the accounts of said Langham may be adjusted at the proper office, according to equity and justice, and upon such evidence as they may be able to produce, which will satisfy the accounting officers of the credits to be allowed ; and that in any action at law upon their bonds the court shall receive such evidence, and adjust the amount in like manner ; which petition was referred to the Committee of Claims.

On motion of Mr. Harrison,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of ceding to the States of Missouri and Arkansas such inundated and swamp lands, lying within said States, as have not been surveyed, and which have been reported as impracticable to be surveyed, or as not worth the expense of surveying.

On motion of Mr. Yell,

Resolved, That the Committee on Foreign Affairs be instructed to inquire into the expediency of an immediate legislation, necessary to carry into effect a treaty between the United States and the republic of Texas, in relation to the running and establishing the line between the two Governments, in accordance with said treaty ; and that the treaty of limits between the republic of Texas and the United States, communicated to Congress at the beginning of the present session, be referred to the same committee.

On motion of Mr. Cray,

Resolved, That the Committee on Naval Affairs be instructed to inquire into the expediency of so reorganizing the Navy Department as to dispense with the services of the Board of Navy Commissioners.

On motion of Mr. Downing, delegate from Florida,

Resolved, That the claim of General Duncan L. Clinch for forage and other articles included in his account, furnished to the troops and militia of the United States, or taken by them, be referred to the Committee of Claims.

Mr. Jones, delegate from Wisconsin, submitted the following resolutions; and the rule which requires them to lie on the table one day for consideration being dispensed with, they were read, considered, and agreed to, viz :

Resolved, That the Secretary of the Treasury be directed to inquire into and report to this House the condition of the banks in Wisconsin Territory, to ascertain whether the said banks have been put in operation in pursuance of the acts of the Territory chartering such banks, and the acts of Congress approving them, if any were passed, and whether the said banks have or have not violated the provisions of their charters, if any were granted.

Resolved, That the said Secretary also report to this House the character of the currency received at the different land offices in said Territory in payment for the public lands, and report the names of the banking institutions the notes of which are so received.

On motion of Mr. Chapman, delegate from Iowa.

1. *Resolved*, That the Committee on Roads and Canals be instructed to inquire into the expediency of making a road from Dubuque, in the Territory of Iowa, to the Missouri State line, passing through as many of the county seats as practicable, so as to terminate in the county of Van Buren;

That said committee also inquire into the expediency of constructing a canal from Bloomington, in the Territory of Iowa, to some suitable point on the Red-cedar river, and of the expediency of granting lands to aid in the construction of the same.

2. *Resolved*, That the Committee on the Public Lands be instructed to inquire into the expediency of reporting a bill granting to the Territory of Iowa the quantity of lands usually given to the Territories for the benefit of education; also, a bill granting the pre-emption right to the claimants of lots in certain towns reserved from sale by the act of Congress of 1838.

3. *Resolved*, That the Committee on the Territories be instructed to inquire into the expediency of reporting a bill to define the eastern boundary of the Territory of Iowa; a bill to authorize the election of judges of probate, sheriffs, justices of the peace, and county surveyors, in the Territory of Iowa; and a bill to authorize the people of said Territory to form a constitution and State Government, and for its admission into the Union.

4. *Resolved*, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Dubuque, through the counties of Jones, Cedar, Slaughter, and Henry, to the town of Keosauqua, in the Territory of Iowa.

5. *Resolved*, That the Committee on the Public Lands be instructed to inquire into the expediency of granting to the counties of Lee, Des Moines, Jackson, and Dubuque, in the Territory of Iowa, land to aid in the erection of court-houses and jails, in lieu of lands sold by the Government.

6. *Resolved*, That the Secretary of State be requested to communicate to this House, at as early a period as possible, any report he may have received from the commissioners appointed to survey and run the northern boundary-line of the State of Missouri.

Mr. Curtis submitted the following resolution; and the rule which requires it to lie on the table one day for consideration being dispensed with, it was read, considered, and agreed to, viz :

Resolved, That the Secretary of the Treasury be directed to communicate to this House a copy of a circular issued by the Comptroller in the year 1821, and which is referred to by the said Secretary in his report to the President of the United States dated 6th November, 1838, in relation to the default of Samuel Swartwout, late collector of the customs of the port of New York, being the same circular which, in said report, is alleged to have "tended to remove a check on the collector;" and, also, to inform this House whether the bonds set forth in document No. 10, appended to said report, were included in any return, bond account, or other account of said late collector, communicated by him to the Treasury Department; and if so included, at what time such returns or accounts were communicated to said Department; and, also, whether three certain Treasury warrants, amounting in the aggregate to thirty-nine thousand two hundred and forty dollars and five cents, received by said late collector during the years 1834 and 1835, mentioned in paper No. 15, annexed to said report, appear in any quarterly or other account, or return rendered by said collector to said Department; and if so, to communicate a copy of such return or account to this House.

The Speaker laid before the House a letter from the Postmaster General, transmitting the annual estimate of the sums necessary to be appropriated for the service of the Post Office Department for the year 1839; which letter and estimate were referred to the Committee of Ways and Means.

And at half-past three o'clock, the House adjourned until Wednesday next, the 2d January, 1839, at twelve o'clock, meridian.

WEDNESDAY, JANUARY 2, 1839.

A motion was made by Mr. John Quincy Adams to amend the Journal of Monday, the 31st of December ultimo, by inserting therein an entry in these words:

"A motion was made by Mr. John Quincy Adams, that the rules in relation to the order of business be suspended, and that the House do now proceed to the consideration of the resolutions submitted by him on the 6th of December, calling on the President of the United States for certain information in relation to the conduct of Andrew Stevenson, minister to Great Britain, and to the conduct of Matthew C. Perry, a captain in the navy of the United States; which resolutions were laid on the table one day on the day they were submitted, under the rule: at the same time Mr. Adams sent to the Clerk's table a letter, received by him, threatening his assassination for his proceedings in the House in relation to said resolutions; which letter was read: and on the motion that the rules be suspended for the purpose aforesaid, Mr. Adams called for the yeas and nays; which were not ordered: and the question being put, it was decided in the negative."—

And on the question, Shall the Journal be amended as aforesaid?

It passed in the negative.

Mr. Cushman asked the unanimous consent of the House to make a verbal statement.

Objection being made, he moved that the rules be suspended to enable him to make said statement; which motion was agreed to, two-thirds voting therefor.

Mr. Cushing having made his statement,
Mr. Prentiss, of Mississippi, asked the unanimous consent of the House to make a statement.

Objection being made, he moved that the rules be suspended to enable him to make said statement;

And on the question, Shall the rules be suspended for the purpose aforesaid?

There appeared, { Yeas, 97,
 { Nays, 97.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
J. Banker Aycrigg
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
Andrew Buchanan
William B. Calhoun
John Calhoun
William B. Campbell
William B. Carter
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
William K. Clowney
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
Edmund Deberry
Horace Everett
John Ewing
Richard Fletcher
Henry A. Foster
Rice Garland
Joshua R. Giddings
Patrick G. Goode

Mr. James Graham
William Graham
Seaton Grantland
William J. Graves
George Grennell, jr.
Hiland Hall
William Halsted
Alexander Harper
Richard Hawes
Thomas Henry
Ogden Hoffman
Robert M. T. Hunter
Jabez Jackson
Daniel Jenifer
Henry Johnson
William Cost Johnson
John P. Kennedy
Francis S. Lyon
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
John J. Milligan
Charles F. Mitchell
Muthias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
James A. Pearce
Luther C. Peck

Mr. Sergeant S. Prentiss
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
Francis O. J. Smith
William W. Southgate
Edward Stanly
Archibald Stuart
Charles C. Stratton
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsell
Ratliff Boon
James W. Boucklin
George N. Briggs
John C. Brodhead
Isaac H. Bronson
John Campbell
Zadok Casey

Mr. Reuben Chapman
Walter Coles
Henry W. Connor
Robert Craig
Isaac E. Crary
Samuel Cushman
William C. Dawson
Thomas Daves
Edward Davies
John I. De Graff
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards
Franklin H. Elmore
George Evans

Mr. James Farrington
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
Abram P. Grant
Hiram Gray
John K. Griffin
Robert H. Hammond
Thomas L. Hamer
Charles E. Haynes
Orrin Holt
Benjamin C. Howard
Edward B. Hubley
Samuel Ingham
Thomas B. Jackson
Joseph Johnson

Mr. Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
William Montgomery

Mr. Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
William Parmenter
Virgil D. Parris
Lemuel Paynter
David Petrikin
Arnold Plumer
David Potts, jr.
Zadock Pratt
Luther Reily
Abraham Rencher
John Robertson
Daniel Sheffer

Mr. Matthias Shepler
Adam W. Snyder
James B. Spencer
Henry Swearingen
William Taylor
Obadiah Titus
Isaac Toucey
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Thomas T. Whittlesey
Jared W. Williams
John T. H. Worthington
Archibald Yell.

Two-thirds not voting in the affirmative, the question was lost.

Mr. Wise asked the unanimous consent of the House to make a statement.

Objection being made, he moved that the rules be suspended to enable him to make said statement;

And on the question, Shall the rules be suspended for the purpose aforesaid?

There appeared, { Yeas, 91,
 Nays, 89.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
John W. Allen
J. Banker Aycrigg
Richard Biddle
William Key Bond
Nathaniel B. Borden
Andrew Buchanan
John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
John Chambers
Timothy Childs
John C. Clark
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
Edward Davies
Edmund Deberry
Horace Everett
Richard Fletcher
Henry A. Foster
Rice Garland
Joshua R. Giddings
Patrick G. Goode
James Graham
William Graham

Mr. Seaton Grantland
William J. Graves
George Grennell, jr.
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Ogden Hoffman
Robert M. T. Hunter
Jabez Jackson
William Cost Johnson
John P. Kennedy
Hugh S. Legare
Francis Lyon
Samson Mason
Abram P. Maury
William L. May
Thos. M. T. McKennan
John J. Milligan
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
James A. Pearce
Luther C. Peck
John Pope
Zadock Pratt
Harvey Putnam

Mr. James Rariden
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Augustine H. Shepperd
Charles Shepard
Mark H. Sibley
William Slade
Francis O. J. Smith
William W. Southgate
Edward Stanly
Archibald Stuart
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Sherrod Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John T. Andrews
Charles G. Atherton

Mr. Linn Banks
William Beatty

Mr. Cyrus Beers
Andrew Beirne

Mr. Bennet Bicknell
 Samuel Birdsall
 Raliff Boon
 James W. Bouldin
 George N. Briggs
 John C. Brodhead
 Isaac H. Bronson
 John Campbell
 Zadok Casey
 Reuben Chapman
 William K. Clowney
 Walter Coles
 Henry W. Connor
 Robert Craig
 Isaac E. Crary
 Samuel Cushman
 William C. Dawson
 John I. De Graff
 George C. Dromgoole
 George H. Dunn
 John Edwards
 George Evans
 James Farrington
 Isaac Fletcher
 Jacob Fry, jr.
 Albert Gallup
 Abraham P. Grant
 Hiram Gray

Mr. Elisha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Charles E. Haynes
 Hopkins Holey
 Orrin Holt
 Benjamin C. Howard
 Edward B. Hubley
 Samuel Ingham
 Thomas B. Jackson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Daniel P. Leadbetter
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 John Miller
 Ely Moore
 William S. Morgan

Mr. John L. Murray
 William H. Noble
 John Palmer
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 David Petrikin
 Francis W. Pickens
 David Pott, jr.
 John H. Prentiss
 Luther Reily
 Daniel Shaffer
 Matthias Shepler
 Adam W. Snyder
 James B. Spencer
 Henry Swearingen
 William Taylor
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 Hopkins L. Turney
 Henry Vail
 David D. Wagener
 Taylor Webster
 Jared W. Williams
 John T. H. Worthington
 Archibald Yell.

Two-thirds not voting in the affirmative, the question was lost.

Mr. Cambreleng, from the Committee of Ways and Means, reported the following resolution, viz :

Resolved, That the Committee of Ways and Means be discharged from the further consideration of the estimates for new objects submitted in the estimates of appropriation, and that the same be referred to the respective committees to which they appropriately belong.

This resolution was read, and agreed to by the House.

Mr. Chambers, from the Committee of Claims, to which was referred the bill from the Senate (No. 7) entitled "An act for the relief of William East," reported the same without amendment, accompanied by a report in writing.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

Mr. Chambers, from the Committee of Claims, to which was referred the bill from the Senate (No. 139) entitled "An act for the relief of the corporate authorities of the city of Mobile," made a report thereon, recommending that said bill do not pass.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

Mr. Chambers, from the Committee of Claims, made an unfavorable report on the case of John Peebles; which report was ordered to lie on the table.

Mr. Russell, from the Committee of Claims, made unfavorable reports on the cases of Samuel and Isaac Bell, John H. Robinson, George Ash, and Alexander Humphrey; which reports were ordered to lie on the table.

On motion of Mr. Russell,

Ordered, That the Committee of Claims be discharged from the further consideration of the memorial of Captain Thomas Ap Catesby Jones, for

remuneration for expenses incurred in superintending, fitting out, and preparing the South Sea expeditions, projected in 1828 and 1836; and that said memorial be referred to the Committee on Naval Affairs.

Mr. Russell, from the Committee of Claims, made a report on the case of the legal representatives of Nimrod Farrow and Richard Harris, accompanied by a bill (No. 936) for the relief of the said legal representatives; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Stuart, from the Committee of Claims, made an unfavorable report on the case of Benedict J. Heard; which report was laid on the table.

Mr. Darlington, from the Committee of Claims, made a report on the case of David and James Wilkinson, accompanied by a bill (No. 937) for the relief of the legal representatives of John Wilkinson; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Giddings, from the Committee of Claims, made an unfavorable report on the petition of the executors of John Donnell, deceased; which report was ordered to lie on the table.

Mr. Giddings, from the Committee of Claims, made unfavorable reports on the cases of Hiram Humphreys, Robert Davis, Jonathan Davis, David Hime, and John Metcalf; which reports were ordered to lie on the table.

Mr. Saltonstall, from the Committee of Claims, made unfavorable reports on the cases of Parthenia Beard, assignee of David Beard, Joseph L. Milligan, Lyman King, Abraham Morrison, William H. Williams, Joel Martin, and David Bartlett; which reports were severally ordered to lie on the table.

On motion of Mr. Casey,

Ordered, That the Committee on the Public Lands be discharged from the consideration of the petition of inhabitants of Edwards county, in the State of Illinois, for aid in the construction of a railroad; and that the said petition be referred to the Committee on Roads and Canals.

Mr. Chapman, of Alabama, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 17) entitled "An act to establish an additional land district in the State of Alabama," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Shields, from the Committee on the Public Lands, made an unfavorable report on the case of Isaac Adkins; which report was ordered to lie on the table.

Mr. Word, from the Committee on the Public Lands, to which was referred the petition of Cornelius Campbell, Samuel S. Watson, and Thomas P. Cops, as also the petition of sundry citizens of Saint Charles county, in the State of Missouri, made an unfavorable report thereon; which was ordered to lie on the table.

Mr. Word, from the Committee on the Public Lands, made an unfavorable report on the petition of Samuel Davis, William Brown, and Martin H. Arthur; which report was ordered to lie on the table.

Mr. Word, from the Committee on the Public Lands, made unfavorable reports on the cases of William McPherson and others, and James Alexander Clark; which reports were ordered to lie on the table.

Mr. Word, from the Committee on the Public Lands, made an unfavor-

able report on the memorial of Hezekiah Bagerly and other citizens of Louisiana, for the construction of a levee on the south side of Red river; which was read, and laid on the table.

Subsequently, on motion of Mr. Garland, of Louisiana, the vote to lay the said report on the table was reconsidered; when

A motion was made by Mr. Garland, that the said memorial and report be recommitted to the Committee on the Public Lands, with instructions to inquire into the expediency of making an appropriation for the purpose of having a survey and estimate made of the improvement contemplated, the cost thereof, and the benefit to be derived from making the levee proposed by the petitioners.

And, on the question to agree to this motion,

It passed in the affirmative.

Mr. Word, from the Committee on the Public Lands, made a report on the case of the heirs and legal representatives of John Grimbball, senior, deceased; accompanied by a bill (No. 938) for the relief of the said heirs and representatives; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Toucey,

Ordered, That the Committee on the Judiciary be discharged from the consideration of the petition of Victor Sciata, and that it lie on the table.

Mr. Martin, from the Committee on the Judiciary, to which the subject was referred on the 10th of December last, reported a bill (No. 939) to amend an act to reorganize the district courts of the United States in the State of Mississippi, approved June 18, 1838; which bill was read the first and second time, and ordered to be engrossed, and read a third time to-day.

On motion of Mr. Garland, of Virginia,

Ordered, That the Committee on the Judiciary be discharged from the consideration of the petition of inhabitants of St. Joseph, in the Territory of East Florida, for the construction of a court-house; and that said petition be referred to the Committee on the Territories.

Mr. Corwin, from the Committee on the Judiciary, to which was referred the bill from the Senate (No. 19) entitled "An act to amend an act entitled 'An act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes,'" reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House on the state of the Union.

Mr. Craig, from the Committee on Revolutionary Claims, reported a bill (No. 940) to authorize the payment of the seven years' half pay due on account of the services of Thomas Knowlton, deceased, in the war of the Revolution; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Taliaferro, from the Committee on Revolutionary Claims, reported two bills, viz:

No. 941. A bill for the relief of the heirs of Jonathan Dye;

No. 942. A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of David Gould, deceased; which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. May, from the Committee on Private Land Claims, reported the following resolution, viz:

Resolved, That the Committee on Private Land Claims be authorized to employ a clerk.

And, on the question that the House do agree to said resolution, It passed in the negative.

Mr. Bell, from the Committee on Indian Affairs, submitted to the House three communications from the Secretary of War to that committee: the first containing the report and estimate of the Commissioner of Indian Affairs on the subject of the expenses of making the disbursements of that office; the second enclosing a communication from the Commissioner of Indian Affairs, asking for authority to employ additional clerks in the Indian office; the third enclosing a report from the Commissioner of Indian Affairs on the subject of the small-pox, which still prevails among the Choctaws, Chickasaws, Cherokees, Creeks, and Seminoles.

Ordered, That said communications be referred to the Committee on Indian Affairs.

Mr. Everett, from the Committee on Indian Affairs, made an unfavorable report upon the case of the heirs of Nathaniel Taylor; which report was ordered to lie on the table.

Mr. Harlan, from the Committee on Private Land Claims, reported a joint resolution (No. 33) for the relief of the heirs of Charles Brown, deceased; which resolution was read the first and second time, and ordered to be engrossed, and read a third time to-day.

Mr. Everett submitted the following resolution, as a modification of the resolution moved by him on Monday the 31st December ultimo, and laid on the table one day, under the rule, viz:

Resolved, That the President of the United States be requested to lay before this House, at the commencement of the next session of Congress, statements of the whole military force employed, and of all moneys expended, in carrying on the Seminole war; exhibiting, in tabular forms, as far as practicable—

1. *In relation to the regular army and marine corps*: the numbers of artillery, of infantry, and of dragoons; the length of time in service; the number of resignations and desertions; the numbers of the killed, and of those who died of wounds or sickness; the number and the gross amount of pensions granted on account of wounds received in service; the gross value of arms and ammunition issued, and the gross value of the same lost or destroyed; the number and gross value of the horses in service, and the number and gross value of those lost in the service; and the gross amount paid or due for pay, for rations, and for forage.

2. *In relation to the militia and volunteers*: the numbers of artillery, of infantry, and of dragoons; the length of time in service; the State or Territory from which they came; the numbers of the killed, and of those who died of wounds or sickness; the number and the gross amount of pensions granted on account of wounds received in service; the gross value of arms and ammunition issued, and the gross value of the same lost or destroyed; the number of horses in service, the number lost, and the gross amount paid or due therefor; and the gross amount paid or due for pay, for rations, and for forage.

3. *In relation to the Indians*: the number employed, the tribes from which they came; the length of time in service; the gross amount paid or due for pay, for rations, and for forage; and the gross amount of all incidental expenses relative to their employment.

4. *In relation to all expenses of the war, not included in any of the above statements :* statement of the gross amount of the different subjects of expenditures, and under separate heads, so far as they are kept in separate accounts on the books of the Department ; and in all other cases, a general statement of the amount and object of each expenditure.

5. *In relation to the removal of the Seminoles :* the number removed ; the time when removed ; and the gross amount of all expenses for their removal and subsistence.

The said resolutions were read, and laid on the table one day, under the rule.

Mr. Morgan, from the Committee on Revolutionary Pensions, reported a bill (No. 943) for the relief of Samuel Edgecomb ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Howard, it was ordered that a member be appointed of the Committee on Foreign Affairs in the place of Mr. Fairfield, who has resigned his seat as a member of this House ; and

Mr. Toucey was appointed.

Mr. Morgan, from the Committee on Revolutionary Pensions, reported a bill (No. 944) for the relief of John Smith ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Whittlesey, from the Committee on Revolutionary Pensions, made a report upon the petition of Ichabod Beardsley, accompanied by a bill (No. 945) for his relief ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Whittlesey, from the Committee on Revolutionary Pensions, made a report upon the petition of Nathan and Sibel Strong, in behalf of Sibel Barnes, accompanied by a bill (No. 946) for the relief of Sibel Barnes ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Whittlesey, from the Committee on Revolutionary Pensions, made a report upon the petition of Elizabeth French, widow of Cummel French, accompanied by a bill (No. 947) for her relief ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Johnson, of Virginia, from the Committee on Revolutionary Pensions, reported sundry bills, viz :

No. 948. A bill granting a pension to William Ford ;

No. 949. A bill granting a pension to Samuel Hatton, of the State of Virginia ;

No. 950. A bill granting a pension to John Lathram ; accompanied by reports in each of the said cases ; which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Childs, from the Committee on Revolutionary Pensions, made a report upon the petition of Catherine Allen, widow of Henry Allen, accompanied by a bill (No. 951) for her relief ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Williams, of Kentucky, from the Committee on Invalid Pensions, reported the following bills, viz :

No. 952. A bill for the relief of Elijah Blodget ;

No. 953. A bill for the benefit of Thomas Collins ;

No. 954. A bill for the relief of Samuel M. Asbury ;

No. 955. A bill for the relief of James Fleming ;
accompanied by reports in each of the said cases ; which bills were read the first and second time, and committed to a committee of the Whole House to-morrow.

Mr. Allen, of Vermont, from the Committee on Invalid Pensions, reported the following bills, viz :

No. 956. A bill for the relief of Robert Whittet ;

No. 957. A bill for the relief of Myron Chapin ;

No. 958. A bill for the relief of Jared Winslow ;

No. 959. A bill for the relief of Nathaniel Davis ;

No. 960. A bill for the relief of Isaac Justis ;
accompanied by reports in the said cases ; which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Williams, of Kentucky,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the case of James Ivory, and that the same do lie on the table.

Mr. Taylor, from the Committee on Invalid Pensions, made a report upon the case of Bradbury T. Jipson, accompanied by a bill (No. 961) for his relief ; which bill was read the first and second time, and ordered to be engrossed, and read a third time to-day.

The said bill being engrossed, was read a third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

Mr. Herod, from the Committee on Invalid Pensions, reported the following bills, viz :

No. 962. A bill for the relief of Isaiah Parker ;

No. 963. A bill for the relief of Levi M. Roberts ;

No. 964. A bill for the relief of Isaac Boyd ;

accompanied by reports in the said cases ; which bills were severally read the first and second time, and committed to a committee of the Whole House to-morrow.

Mr. Plumer, from the Committee on Invalid Pensions, made a report upon the petition of Gideon Sheldon, accompanied by a bill (No. 965) for his relief ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Ewing, from the Committee on Revolutionary Pensions, reported the following bills, viz :

No. 966. A bill for the relief of William Smith ;

No. 967. A bill for the relief of William Fitzgerald ;

No. 968. A bill for the relief of Eunice Sanders, late Eunice Pierson ;

No. 969. A bill for the relief of the heirs of Charles Fitzgerald, deceased ;

No. 970. A bill granting a pension to Martha Strong ;
accompanied by reports in the said cases ; which bills were severally read the first and second time, and committed to a committee of the Whole House to-morrow.

Mr. Fletcher, of Vermont, from the Committee on Patents, to which was referred the bill from the Senate (No. 13) entitled "An act for the relief of Elisha Town," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Fletcher, of Vermont, from the Committee on Patents, to which was referred the bill from the Senate (No. 14) entitled "An act for the relief of Erastus Fairbanks and Thaddeus Fairbanks," reported the same without amendment.

Ordered, That the said bill be committed to a committee of the Whole House to-morrow.

Mr. Downing presented a communication from Napoleon L. Coste, lieutenant commanding cutter Campbell, in relation to light-houses on Loggerhead key and East key ;

Also, a communication from W. W. Hory, of New York, and Robert Leslie, of Baltimore, on the subject of a light-house on Cape Canaveral ;

Also, resolutions of the Legislative Council of Florida, relative to light-houses, port of entry, and post routes ;

Also, a resolution of the House of Representatives of the United States of December 20, 1836, relative to a new collection district at St. Joseph, in Florida, and a light-house at Cape St. Blas ;

Also, a report of a survey of Carysfort reef, on the coast of Florida, and a communication from Winslow Lewis, of Boston, upon the same subject ;

Also, an estimate of Colonel J. J. Abert, of the topographical engineers, as to the survey of the harbor of St. Joseph, in Florida ;

Also, a resolution of the House of Representatives of the United States relative to an appropriation for buoys on the bar at St. Augustine ;

Also, a copy of a bill making an appropriation for the improvement of certain harbors in the Territory of Florida and Wisconsin for the year 1838.

Ordered, That the said communications, resolutions, &c., be referred to the Committee on Commerce.

Mr. Downing also presented communications from Judge Thomas Randall, of Florida, and the memorial of the judges of the court of appeals in Florida, relative to an appropriation for a law library ; which communications and memorial were referred to the Committee on Territories.

The House then again resolved itself into the Committee of the Whole House on the state of the Union ; and, after some time spent therein, the Speaker resumed the chair, and Mr. John Quincy Adams reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the message of the President of the United States at the commencement of the session, and had come to no resolution thereon.

The Speaker laid before the House a letter from the Postmaster General, transmitting a list of the names of the persons employed as clerks in the General Post Office in the year 1838, with the salary of each ; which letter was ordered to lie on the table.

Under the order of the House of the 14th of December last, the under-mentioned petitions were presented, viz :

By Mr. Worthington : The petition of William Sloan, which was referred to the Committee on Invalid Pensions.

By Mr. Giddings : The petition of Catharine Hayward, widow of Caleb Hayward, which was referred to the Committee on Invalid Pensions.

By Mr. Worthington: The petition of Matthew Wiley, which was referred to the Committee on Revolutionary Pensions.

By Mr. Word: The petition of Maria L. Kershaw, which was referred to the Committee of Claims;

Of James White, which was referred to the Committee on Indian Affairs.

By Mr. Robertson: The petition of the heirs of Benjamin Chappell, which was referred to the Committee on Revolutionary Pensions.

By Mr. Rariden: The petition of Henry Pierson, which was referred to the Committee of Claims.

By Mr. Downing: The petition of inhabitants of St. Augustine for pay for expenses on fortifications;

Of inhabitants of St. Augustine for pay for repairing lines, &c.;

Of inhabitants of St. Augustine for repairs of Fort Augustine; which said petitions were referred to the Committee of Claims.

By Mr. Downing: The petition of inhabitants of Tampa, in Florida, for a light-house at Tampa Bay;

Of inhabitants of St. Mark's, in Florida, for a light-house at Cape St. Blas;

Of inhabitants in Florida for a light-house on Cape Canaveral;

Of inhabitants of St. Joseph, in Florida, for a survey of the bar of that bay;

Of the Legislative Council of Florida for light-houses, port of entry, and post route;

which said petitions were referred to the Committee on Commerce.

By Mr. Downing: of inhabitants of East Florida, for a road through Alachua county, which was referred to the Committee on Roads and Canals;

Of citizens of Appalachicola, in Florida, for the importation of iron for four steam-vessels, free of duty, which was referred to the Committee on Roads and Canals;

By Mr. Mallory: The petition of Ann Ross, widow of Lieutenant Andrew Ross.

By Mr. James M. Mason: The petition of John Keeler; which petitions were severally referred to the Committee on Invalid Pensions.

By Mr. Evans: The petition of Mary Shepard and others, heirs of Frederick M. Bell, which was referred to the Committee on Private Land Claims.

By Mr. Mallory: The case of James Young, which was referred to the Committee of Claims.

By Mr. Banks: The petition of the heirs of James Broadus, which was referred to the Committee on Revolutionary Claims.

By Mr. Jones, of Wisconsin: The petition of George Rawlings, which was referred to the Committee on Revolutionary Pensions.

By Mr. Whittlesey: The petition of citizens of Bridgeport, in the State of Connecticut, for the improvement of the harbor at that place, which was referred to the Committee on Commerce.

By Mr. Putnam: The petition of Sylvester Tiffany, which was referred to the Committee on Invalid Pensions.

By Mr. Howard: The petition of the representative of James Jackson, of England, which was referred to the Committee on Revolutionary Claims.

By Mr. Hoffman : The petition of Susan Brum, widow of Philip Brum, which was referred to the Committee on Naval Affairs.

By Mr. Lewis : The petition of Alfred P. King and Henry Lucas, which was referred to the Committee of Claims.

By Mr. Reed : The petition of Ebenezer A. Lester, which was referred to the Committee on Claims.

By Mr. De Graff : The petition of Charles Waldron, which was referred to the Committee of Claims.

By Mr. Cushing : The petition of Frederick De Kalb, which was referred to the Committee on Private Land Claims.

By Mr. Reed : The petition of Josiah Atwood, junior, which was referred to the Committee on Commerce.

By Mr. Parmenter : Of Edmund Rice, which was referred to the Committee on Revolutionary Pensions.

By Mr. Henry : The petition of Hugh Mean, which was referred to the Committee on Revolutionary Claims ;

Of Josiah Westlake, which was referred to the Committee on Invalid Pensions.

And then, at half-past three o'clock, the House adjourned until to-morrow, twelve o'clock, meridian.

THURSDAY, JANUARY 3, 1839.

On motion of Mr. Tillinghast,

Ordered That the report of the Committee of Claims upon the petition of David Bartlett, made on yesterday, be committed to a Committee of the Whole House to-morrow.

Mr. Underwood submitted the following resolution ; and the rule which requires it to lie on the table one day being dispensed with, it was read, and agreed to, viz :

Resolved, That the Secretary of War be directed to communicate to this House, as speedily as practicable, all the facts touching the defalcation of General Charles Gratiot, late Chief Engineer ; showing the time when he was first a defaulter, and for what sum ; what orders were given stopping his pay in consequence of his default, and when ; and what orders were given him directing the settlement of his accounts, and when ; together with all correspondence on the files or books of his office relative to said Gratiot's defalcation :

And that the Secretary of War be directed to communicate to this House, as soon as convenient, all facts and correspondence relative to the defalcation of any and every civil or military disbursing agent or officer now in service either in the staff or line, subject to the orders of the War Department, who has failed, within the last two years, for a longer period than two months, to settle his accounts in the manner prescribed by law ; or who, upon settlement, has been found in arrears to the Government, and has failed to pay over the balance against him when demanded.

On motion of Mr. Crabb,

Ordered, That the Committee of the Whole House be discharged from the consideration of the bill (No. 491) "to reorganize the district courts of the United States in the State of Alabama," and that it be recommitted to the Committee on the Judiciary.

On motion of Mr. Lincoln,

Ordered, That the Committee on the Public Lands be discharged from the consideration of the petition of John G. Parsons, and that it do lie on the table.

Mr. Connor, from the Committee on the Post Office and Post Roads, made a report upon the petition of Patrick Green, accompanied by a bill (No. 971) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Connor,

Ordered, That the Committee on the Post Office and Post Roads be discharged from the consideration of the petition of inhabitants of Tallmadge, in the State of Ohio, to prevent the transportation of the mails on Sunday; and that said petition do lie on the table.

Mr. Connor, from the Committee on the Post Office and Post Roads, reported the following resolution, viz :

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of reporting a bill for the erection of a fire-proof building for the Post Office Department.

Mr. Bond moved to amend the said resolution, by striking out "Post Office and Post Roads," and inserting in lieu thereof "Public Buildings and Grounds."

A motion was made by Mr. Mason, that the resolution do lie on the table; which was decided in the negative.

And the question was put on agreeing to the said amendment, and passed in the affirmative.

The resolution as amended was then agreed to by the House.

Mr. John Quincy Adams, from the Committee on Manufactures, to which was referred Senate bill (No. 77) entitled "An act to remit or refund to the Philadelphia, Wilmington, and Baltimore Railroad Company, the duties upon certain railroad iron," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

On motion of Mr. John Quincy Adams,

Ordered, That the Committee on Manufactures be discharged from the consideration of the petitions of Andrew Logan for donations of land in the Iowa Territory, to aid in the growing of silk, and that they be referred to the Committee on Agriculture.

Mr. Allen, of Vermont, from the Committee on Invalid Pensions, made a report upon the case of John F. Wiley, accompanied by a bill (No. 972) granting him a pension; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Johnson, of Louisiana, submitted the following resolution; and the rule requiring it to lie upon the table one day being dispensed with, it was read, and agreed to, viz :

Resolved, That the President of the United States be requested to communicate to this House such information as he may have received touching the invasion of the Southwestern frontier of the United States by an armed force from the republic of Texas.

On motion of Mr. Augustine A. Shepperd,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of providing by law for the location and satis-

faction of the bounty land warrant issued to James Ward, of North Carolina.

Mr. Evans presented a petition of Isaac Gage, of Augusta, in the State of Maine, praying for the privilege of importing iron for a steam-vessel free of duty ; which petition was referred to the Committee on Manufactures.

The House then proceeded to the consideration of the report of the Committee of Elections on the right to a seat in this House, as delegate from the Territory of Wisconsin.

And the report of the Committee of Elections being read, the question was stated that the House do agree to the resolution therein recommended, viz :

Resolved, That James Duane Doty *is* entitled to a seat in this House as delegate from Wisconsin Territory, and that George W. Jones is *not* so entitled.

A motion was made by Mr. Thomas to amend said resolution, by inserting therein after the word *is*, where it first occurs, the word *not*, so as to make it read " That James Duane Doty is not entitled," &c.

And after debate,

The previous question was moved by Mr. De Graff, and being demanded by a majority of the members present,

The said previous question was put, viz : shall the main question be now put ?

And passed in the affirmative.

The said main question was then put, viz : that the House do agree to the resolution reported by the Committee of Elections,

And passed in the affirmative, { Yeas, 166,
Nays, 24.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Ayer
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
William Key Bond
Nathaniel B. Borden
George N. Briggs
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chambers

Mr. Reuben Chapman
Richard Cheatham
Timothy Childs
Charles D. Coffin
Henry W. Connor
Thomas Corwin
George W. Crabb
Isaac E. Crary
Robert B. Cranston
John W. Crockett
Edward Curtis
Samuel Cushman
Edward Darlington
William C. Dawson
Thomas Davee
Edward Davies
Edmund Deberry
John I. De Graff
George H. Dunn
John Edwards
Franklin H. Elmore
George Evans
Horace Everett
Richard Fletcher
Isaac Fletcher
Henry A. Foster
Jacob Fry, jr.

Mr. Albert Gallup
James Garland
Rice Garland
Joshua R. Giddings
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
William J. Graves
Hiram Gray
George Grennell, jr.
John K. Griffin
Elisha Haley
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
William Herod
Ogden Hoffman
Orrin Holt
Benjamin C. Howard
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson

Mr. Daniel Jenifer
Joseph Johnson
Nathaniel Jones
Gouverneur Kemble
John P. Kennedy
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Levi Lincoln
Arphaxed Loomis
Francis S. Lyon
Richard P. Marvin
James M. Mason
Samson Mason
William L. May
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Thos. M. T. McKennan
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Samuel W. Morris
Calvary Morris
John L. Murray
Charles Naylor
William H. Noble
Charles Ogle

Mr. George W. Owens
Lemuel Paynter
James A. Pearce
Luther C. Peck
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
David Potts, jr.
Zadock Pratt
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Luther Keily
Abraham Rencher
Joseph Ridgway
Francis E. Rives
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Daniel Sheffer
Augustine H. Shepperd
Ebenezer J. Shields
Matthias Sheplor
Mark H. Sibley

Mr. William Slade
Francis O. J. Smith
James B. Spencer
Edward Stanly
William Stone
Charles C. Stratton
Henry Swearingen
John Taliaferro
William Taylor
Joseph Tillinghast
Obadiah Titus
George W. Toland
Isaac Toucey
George W. Towns
Hopkins L. Turney
Joseph R. Underwood
Abraham Vanderveer
David D. Wagener
Albert S. White
John White
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. James W. Bouldin
John Calhoon
Walter Coles
George C. Dromgoole
John Ewing
Thomas L. Hamer
Albert G. Harrison
Richard Hawes

Mr. Edward B. Hubley
George M. Keim
Henry Logan
Joshua L. Martin
Abram P. Maury
Charles McClure
William S. Morgan
William Parmenter

Mr. Virgil D. Parris
John Pope
William W. Southgate
Archibald Stuart
Francis Thomas
Taylor Webster
Christopher H. Williams
Archibald Yell.

And so it was

Resolved, That James Duane Doty is entitled to a seat in this House as a delegate from Wisconsin Territory, and that George W. Jones is not so entitled.

And thereupon,

The said James Duane Doty appeared, was sworn to support the constitution of the United States, and took a seat as the delegate from the Territory of Wisconsin.

The Speaker laid before the House a letter from the Secretary of War, transmitting a statement showing the expenditure of the appropriation for the contingent expenses of the military establishment during the year 1838; which letter and statement were laid on the table.

And then, at four o'clock, the House adjourned until to-morrow, twelve o'clock meridian.

FRIDAY, JANUARY 4, 1839.

A motion was made by Mr. May, that the rules in relation to the order of business be suspended during the hour of morning business, and that the House do proceed in the consideration of the message of the President of the United States of the 8th December ultimo, communicated to

the House on the 10th, in relation to the recently-discovered default of Samuel Swartwout, late collector of the customs at the port of New York.

And the question being put,

There appeared, { Yeas, 101,
 { Nays, 68.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Aycrigg
Linn Banks
John Bell
William Key Bond
George N. Briggs
William B. Calhoun
John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
Richard Cheatham
Timothy Childs
John C. Clark
Jesse F. Cleveland
William K. Clowney
Charles D. Coffin
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Curtis
Edward Darlington
William C. Dawson
Edward Davies
George H. Dunn
John Edwards
Franklin H. Elmore
Horace Everett
Millard Fillmore

Mr. James Garland
James Graham
William Graham
Seaton Grantland
William J. Graves
John K. Griffin
Hiland Hall
Alexander Harper
Richard Hawes
Thomas Henry
William Herod
Hopkins Halsey
Jabez Jackson
Henry Johnson
John P. Kennedy
Levi Lincoln
Richard P. Marvin
James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
Robert McClellan
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
Charles F. Mitchell
William Montgomery
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
Luther C. Peck

Mr. Francis W. Pickens
John Pope
David Potts, jr.
James Rariden
Abraham Rencher
Joseph Ridgway
Francis E. Rives
John Robertson
Edward Robinson
Edward Rumsey
Leverett Saltonstall
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Mark H. Sibley
William Slade
Francis O. J. Smith
Adam W. Snyder
William W. Southgate
Edward Stanly
Archibald Stuart
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
John White
Thomas T. Whittlesey
Lewis Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
William Beatty
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
Ratliff Boon
Isaac H. Bronson
Andrew Buchanan
John Chambers
John Chauey
Walter Coles
Henry W. Connor
Isaac E. Crary
Caleb Cushing
Samuel Cushman
Thomas Davee
Edmund Deberry
John I. De Graff

Mr. George C. Dromgoole
Alexander Duncan
George Evans
James Farrington
Richard Fletcher
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
Joshua R. Giddings
Abraham P. Grant
Hiram Gray
George Grennell, jr.
Elisha Haley
Robert H. Hammond
Charles E. Haynes
Orrin Holt
Benjamin C. Howard
Edward B. Hubley
Samuel Ingham
Thomas B. Jackson

Mr. Daniel Jenifer
Joseph Johnson
William Cost Johnson
Nathaniel Jones
Gouverneur Kemble
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Henry Logan
James J. McKay
Abraham McClellan
Charles McClure
John Miller
Ely Moore
William S. Morgan
John L. Murray
William H. Noble
Amasa J. Parker
William Parmenter
Virgil D. Patris

Mr. Lemuel Paynter
James A. Pearce
David Petrikin
Lancelot Phelps
Arnold Plumer
William W. Potter
Zadock Pratt
John H. Prentiss
Harvey Putnam
Luther Reily

Mr. David Russell
Daniel Sheffer
Matthias Sheplor
James B. Spencer
Henry Swearingen
John Taliaferro
Francis Thomas
Waddy Thompson, jr.
Isaac Toucey

Mr. George W. Towns
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Sherrod Williams
John T. H. Worthington
Archibald Yell.

Two-thirds not voting in the affirmative, the question was lost.

Mr. Chambers, from the Committee of Claims, made an unfavorable report on the petition of David Powers; which was ordered to lie on the table.

Mr. Chambers, from the Committee of Claims, made a report on the case of Captain John Downes, of the United States navy, claiming a credit for \$723 40, accompanied by a joint resolution (No. 34) directing an allowance to be made to said Captain John Downes; which resolution was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Russell, from the Committee of Claims, made a report on the petition of Frederick Richmond, accompanied by a bill (No. 973) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Gray, from the Committee of Claims, to which was referred the bill from the Senate (No. 76) entitled "An act for the relief of Jechonius Pigot and Benjamin Lecraft, sureties of James Manney, late collector of the customs for the district of Beaufort, in the State of North Carolina," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Giddings, from the Committee of Claims, made reports on the cases of William Harmon and John Harmon; which reports were read: when it was

Ordered, That the Committee of Claims be discharged from the consideration of the cases of William Harmon and John Harmon; and that the said cases be referred to the Third Auditor of the Treasury Department for adjustment.

Mr. Saltonstall, from the Committee of Claims, made an unfavorable report on the case of William Tryon; which was ordered to lie on the table.

Mr. Saltonstall, from the Committee of Claims, made a report on the case of William A. Whitehead, accompanied by a bill (No. 974) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Cushman, from the Committee on Commerce, to which was referred the bill from the Senate (No. 56) entitled "An act for the relief of the owner of the British brig Despatch," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Curtis, from the Committee on Commerce, to which was referred the bill from the Senate (No. 57) entitled "An act to remunerate the captors of the privateer Lydia," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Cushman submitted to the House a letter from the Secretary of the Treasury to the Committee on Commerce, accompanied by a communication to him from Samuel F. B. Morse, dated at Paris, in France, Octo-

ber 27, 1838, upon the subject of his (Mr. Morse's) electro-magnetic telegraph ; which letter and communication were laid on the table.

On motion of Mr. Petrikin,

Ordered, That the Committee on Indian Affairs be discharged from the consideration of the case of William Smith, and that it lie on the table.

Mr. Dromgoole, from the Committee on Foreign Affairs, to which the subject was referred on the 31st December ultimo, reported a bill (No. 975) to provide for carrying into effect the convention between the United States of America and the republic of Texas, for marking the boundary between them ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Legare, from the Committee on Foreign Affairs, to which was referred the bill from the Senate (No. 15) entitled "An act for the relief of Thomas Sumpter," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Cushing, from the Committee on Foreign Affairs, to which was referred a message from the President of the United States in relation to territory of the United States beyond the Rocky mountains, and to which the subject was committed, by resolution, on the 14th of December ultimo, made a detailed report, accompanied by a bill (No. 976) to provide for the protection of the citizens of the United States residing in the Oregon territory, or trading on the Columbia river or its tributaries ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union ; and ten thousand copies extra of the said report were directed to be printed.

On motion of Mr. Morgan,

Ordered, that the Committee on Revolutionary Pensions be discharged from the consideration of the case of David Morse, and that it lie on the table.

Mr. Sibley, from the Committee on Revolutionary Pensions, made a report on the case of Leonard Smith, accompanied by a bill (No. 977) granting him a pension ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Herod, from the Committee on Invalid Pensions, reported a bill (No. 978) for the relief of Samuel B. Hugo ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Augustine H. Shepperd, from the committee on Revolutionary Claims, reported a bill (No. 979) for the relief of the heirs and legal representatives of Rignal alias Nick Hillary, deceased ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Augustine H. Shepperd, from the Committee on Revolutionary Claims, reported a bill (No. 980) for the relief of the legal representatives of James Broadus, deceased ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. William Cost Johnson, from the Select Committee appointed on the communication from the Secretary of the Treasury in relation to the disposition of the public lands, reported the following resolution ; which was read and agreed to :

Resolved, That the Select Committee on the public lands be authorized to appoint a clerk, and to have various propositions which may be submitted to their consideration printed.

Mr. Taliaferro, by leave, submitted the following resolution ; which was referred to the Select Committee of 26 members upon the subject of the public lands :

Whereas the continental Congress of the then confederacy of the United States did, by a resolution under date of the 30th day of September, in the year 1780, recommend to the several States of the Confederacy or Federal Union having claim to Western lands, a liberal surrender thereof, as a common fund, *in aid of establishing the public credit, and to discharge the debt incurred by the then existing war with Great Britain :*

And whereas the State of Virginia, responding to the said recommendation of Congress, did, on the 2d day of January, by an act of her Legislative Assembly, adopt, and submit to Congress, for their consideration and acceptance, the terms and conditions on which that State would surrender to the United States, for the *purposes aforesaid*, all the lands within the chartered boundaries of Virginia north and west of the river Ohio :

And whereas Congress, having the said terms and conditions of cession proposed by the State of Virginia under consideration, resolved, on the — day of September, 1783, to accept the same ; with the exception only of a stipulation in said terms of cession, requiring the United States to guaranty to Virginia the residue of her western territory lying south and east of the river Ohio :

And whereas the State of Virginia, assenting to the proposed exclusion from her terms of cession, did, by an act of her Legislative Assembly, authorize her then delegates in Congress to execute the contemplated deed of cession ; whereupon, and in virtue of the full powers vested in them, the said delegates then present did, on the 1st day of March, 1784, execute a conveyance to the United States for all the lands to which Virginia had claim north and west of the river Ohio, according to the original terms and conditions proposed by Virginia to Congress for the cession thereof, with the exception *only* of the guaranty aforesaid, proposed by Congress to be excluded therefrom, and assented to by Virginia, as aforesaid :

And whereas the *original* terms and conditions proposed by Virginia, and assented to by Congress, for the cession by that State of all her lands north and west of the river Ohio, impose the following obligations on Congress :

First. That, provided the State of Virginia had not reserved a sufficient quantity of *good land* on the southeast side of the river Ohio, to satisfy the land bounty promised by Virginia to her officers and soldiers who served in the continental line of the army, and who served in her own State establishment, that Congress should make up such deficiency out of *good lands* lying between the Scioto and Miami rivers.

Secondly. The aforesaid terms and conditions of cession provide, and it is so expressed in the deed, "that all the lands within the territory hereby ceded to the United States, and not reserved or appropriated to any of the *before-mentioned purposes*, or disposed of in bounties to the officers and soldiers of the American army, shall be considered a *common fund* for the *sole use and benefit* of such of the United States as have become, or shall become, members of the confederation or federal alliance of the said States, Virginia inclusive, according to their respective proportions of the general charge and expenditure ; and shall be *faithfully and bona fide* disposed of for that purpose, and for no other use or purpose whatever :"

Resolved, That the Select Committee to whom that part of the report of the Secretary of the Treasury in relation to the public lands was referred, be instructed to inquire and report whether the conveyance of the lands above referred to by Virginia to the United States is not a conveyance in trust for the specific objects expressly enumerated in the deed of cession.

Secondly. Whether those objects have been satisfied, and especially whether Congress, out of the ceded territory, has made provision for the deficit of *good land* on the southeast side of the Ohio river, to satisfy the land bounty promised by the State of Virginia to the officers and soldiers of the Virginia line on continental establishment, and on her own State establishment; if not, what provision ought to be promptly made for that purpose.

Thirdly. What quantity of the ceded territory has been, or the proceeds thereof, devoted and applied towards the specific objects enumerated in the deed of cession; and what quantity of the said territory has been devoted to uses and purposes not comprehended in the terms and conditions of cession.

Finally, if it shall appear that there will be a surplus of land in the ceded territory, beyond what is required to satisfy the objects and purposes specially enumerated in the original terms and conditions in pursuance of which the deed of cession was executed, whether Congress is not bound, by the manifest intention of that deed, to provide for a prompt and "*bona-fide*" distribution of the proceeds of the remaining lands, including the value of so much of those lands, if any, as may have been devoted to purposes not warranted by the deed, amongst the States of the Union, according to the ratio of distribution specified in the deed of cession, for the sole use and benefit of the said States. And that the committee have leave to report by bill.

The rule being suspended for the purpose,

The engrossed bill (No. 939) entitled "An act to amend an act to reorganize the district courts of the United States in the State of Mississippi," was read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

The House resumed the consideration of the bill (No. 411) entitled "An act for the relief of Pamela Brown."

The question recurred on the motion pending on the 29th day of December ultimo, that the further consideration of said bill be postponed until the 19th of January instant; when

The said motion was withdrawn.

A motion was made by Mr. Cambreleng that the further consideration of said bill be postponed until the 20th of January instant; this motion was disagreed to by the House.

A motion was made by Mr. Duncan that the said bill do lie on the table; which motion was disagreed to.

The question recurred, Shall the bill pass? And, after debate,

The previous question was moved by Mr. Petrikin, and was demanded by a majority of the members present.

The said previous question was then put, viz: Shall the main question be now put?

And passed in the affirmative.

Another motion was then made by Mr. Duncan that the said bill do lie on the table; which motion was again decided in the negative.

A motion was made by Mr. Duncan, at half-past 3 o'clock, to adjourn; and decided in the negative.

The main question was then put, viz: Shall the bill pass?

And passed in the affirmative, { Yeas, 109,
Nays, 73.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Hernan Allen
John W. Allen
William Beatty
Bennet Bicknell
Samuel Birdsall
William Key Bond
James W. Bouldin
George N. Briggs
John C. Brodhead
Isaac H. Bronson
William B. Calhoun
John Calhoun
John Campbell
William B. Carter
John Chambers
John C. Clark
Jesse F. Cleveland
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
William C. Dawson
Thomas Davee
Edward Davies
Edmund Deberry
John I. De Graff
Alexander Duncan
George H. Dunn
John Edwards
George Evans
John Ewing
Richard Fletcher
Millard Fillmore

Mr. Henry A. Foster
Rice Garland
Joshua R. Giddings
Patrick G. Goode
Seaton Grantland
Abraham P. Grant
William J. Graves
George Grennell, jr.
Hiland Hall
William Halsted
Robert H. Hammond
Thomas L. Hamer
James Harlan
Alexander Harper
William S. Hastings
Charles E. Haynes
Thomas Henry
Ogden Hoffman
Edward B. Hubley
Samuel Ingham
Jabez Jackson
Henry Johnson
George M. Keim
Gouverneur Kemble
John P. Kennedy
Levi Lincoln
James M. Mason
Charles McClure
Thomas M. T. McKennan
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Charles Naylor
Joseph C. Noyes
Charles Ogle
Virgil D. Parris

Mr. Lemuel Paynter
James A. Pearce
Luther C. Peck
Lancelot Phelps
Arnold Plumer
John Pope
David Potts, jr.
William W. Potter
Harvey Putnam
John Reed
Abraham Rencher
Joseph Ridgway
Edward Robinson
Edward Rumsey
Leverett Saltonstall
Daniel Sheffer
Ebenazer J. Shields
Mark H. Sibley
William Slade
James B. Spencer
Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
William Taylor
Waddy Thompson, jr.
Joseph L. Tillinghast
Obadiah Titus
George W. Toland
Henry Vail
Joseph Weeks
Albert S. White
John White
Christopher H. Williams
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John T. Andrews
Charles G. Atherton
J. Banker Ayer
Linn Banks
Andrew Beirne
Andrew Buchanan
C. C. Cambreleng
William B. Campbell
Zadok Casey
John Chaney
Reuben Chapman
Richard Cheatham
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Samuel Cushman
Horace Everett
James Farrington
Isaac Fletcher

Mr. Jacob Fry, jr.
Albert Gallup
James Garland
John K. Griffin
Richard Hawes
Micajah T. Hawkins
William Herod
Hopkins Holsey
Robert M. T. Hunter
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Samson Mason
John P. B. Maxwell

Mr. James J. McKay
Abraham McClellan
Richard H. Memefee
John Miller
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
William Parmenter
David Petrikin
Francis W. Pickens
John H. Prentiss
James Rariden
Joseph F. Randolph
Luther Reily
Francis E. Rives
John Robertson
Augustine H. Shepperd
Charles Shepard
Matthias Shepler

Mr. Adam W. Snyder
Henry Swearingen
Francis Thomas
Isaac Toucey
Hopkins L. Turney

Mr. Joseph R. Underwood
Taylor Webster
Thomas T. Whittlesey
Lewis Williams

Mr. Sherrod Williams
Jared W. Williams
Joseph L. Williams
Archibald Yell.

And thereupon,

A motion was made by Mr. Rice Garland that the House do reconsider the vote just taken on the passage of the said bill.

The previous question was moved by Mr. Bronson ; when

A motion was made by Mr. Whittlesey, at ten minutes to 4 o'clock, to adjourn ; decided in the negative.

A call of the House was moved by Mr. Dromgoole ;

And the question being put, Shall there be a call ?

It passed in the negative, { Yeas, 52,
 { Nays, 95.

The yeas and nays being desired by one-fifth of the members present :

Those who voted in the affirmative are—

Mr. John Quincy Adams
Charles G. Atherton
J. Banker Ayerigg
Andrew Beirne
William B. Carter
Zadok Casey
John Chaney
Reuben Chapman
Richard Cheatham
Walter Coles
George W. Crabb
Edward Curtis
Samuel Cushman
Thomas Davee
George C. Dromgoole
Alexander Duncan
James Farrington
Isaac Fletcher

Mr. Albert Gallup
John K. Griffin
Micajah T. Hawkins
Hopkins Holsey
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
Daniel P. Leadbetter
Dixon H. Lewis
Arphaxed Loomis
Francis S. Lyon
John P. B. Maxwell
James J. McKay
Abraham McClellan
William S. Morgan
John L. Murray
William H. Noble

Mr. Francis E. Rives
Edward Rumsey
David Russell
Augustine H. Shepperd
Matthias Shepler
James B. Spencer
Edward Stanley
Henry Swearingen
Isaac Toucey
Hopkins L. Turney
Joseph R. Underwood
Lewis Williams
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Archibald Yell
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. James Alexander, jr.
Heman Allen
Linn Banks
Williams Beatty
William Key Bond
James W. Bouldin
George N. Briggs
Isaac H. Bronson
William B. Calhoun
William B. Campbell
John Campbell
John Chambers
Timothy Childs
Jesse F. Cleveland
Henry W. Connor
Thomas Corwin
Robert B. Cranston
John W. Creckett
Caleb Cushing
Edward Darlington
William C. Dawson
Edward Davies
Edmund Deberry
George M. Dunn
John Edwards

Mr. Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore
Henry A. Foster
Jacob Fry, jr.
James Garland
Rice Garland
Patrick G. Goode
Seaton Grantland
William J. Graves
George Greenall, jr.
Elisha Haley
Hiland Hall
William Halsted
Thomas L. Hamer
James Harlan
Charles E. Haynes
Ogden Hoffman
Edward B. Hubley
Samuel Ingham
Jabez Jackson
Daniel Jenifer
George M. Keim
Gouverneur Kemble

Mr. John P. Kennedy
John Klingensmith, jr.
Levi Lincoln
Henry Logan
Charles McClure
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John Miller
Charles F. Mitchell
Charles Naylor
Virgil D. Parris
Lemuel Paynter
Luther C. Peck
David Petrikkin
Lancelot Phelps
Arnold Plumer
John Pope
David Potts, jr.
William W. Potter
Harvey Putnam
James Fariden
Joseph F. Randolph
John Reed
Abraham Rencher

Mr. Joseph Ridgway
John Robertson
Edward Robinson
Leverett Saltonstall
Daniel Sheffer
Ebenezer J. Shields
William Slade

Mr. Archibald Stuart
William Stone
John Taliaferro
William Taylor
Joseph L. Tillinghast
George W. Toland
Abraham Vanderveer

Mr. Taylor Webster
Joseph Weeks
Albert S. White
Thomas T. Whittlesey
Christopher H. Williams
Thomas J. Word.

A motion was made by Mr. Loomis, at ten minutes past four o'clock, that the House adjourn; decided in the negative.

The previous question, moved by Mr. Bronson, was then demanded by a majority of the members present.

And the said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

A motion was then made by Mr. Sherrod Williams, at twelve minutes past four o'clock, that the House do adjourn;

And the question being put,

It passed in the negative, { Yeas, 43,
 { Nays, 96.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Charles G. Atherton
J. Banker Ayerigg
Linn Banks
Andrew Beirne
William B. Calhoun
John Chaney
Reuben Chapman
Walter Coles
Henry W. Connor
George W. Crabb
Samuel Cushman
William C. Dawson
George C. Dromgoole
Alexander Duncan
Franklin H. Elmore

Mr. James Farrington
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
John K. Griffin
Elisha Haley
Micajah T. Hawkins
Hopkins Holsey
Nathaniel Jones
Daniel P. Leadbetter
Arphaxed Leomis
Joshua L. Martin
John P. B. Maxwell
James J. McKay

Mr. William S. Morgan
John L. Murray
William Parmenter
David Petrikin
Francis E. Rives
Augustine H. Sheppard
Matthias Sheplor
Isaac Toucey
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
William Beatty
William Key Bond
James W. Bouldin
George N. Briggs
Isaac H. Bronson
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chambers
Richard Chertham
Jesse F. Cleveland
Thomas Corwin
Robert B. Cranston
Edward Curtis
Caleb Cushing
Edward Darlington
Thomas Davee
Edward Davies
Edmund Deberry

Mr. George H. Dunn
John Edwards
John Ewing
Richard Fletcher
Millard Fillmore
Henry A. Foster
James Garland
Rice Garland
Patrick G. Goode
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray
George Grennell, jr.
Hiland Hall
William Halsted
Robert H. Hammond
Thomas L. Hamer
James Harlan
Charles E. Haynes
Ogden Hoffman
Edward B. Hubley
Samuel Ingham
Jabez Jackson

Mr. Daniel Jenifer
George M. Keim
Gouverneur Kemble
John P. Kennedy
Levi Lincoln
Abraham McClellan
Charles McClure
Thomas M. T. McKenna
Richard H. Menefee
Charles F. Mercer
Charles F. Mitchell
Charles Naylor
William H. Noble
Virgil D. Parris
Lemuel Paynter
Luther C. Peck
Lancelot Phelps
Arnold Plumer
John Pope
David Potts, jr.
William W. Potter
Harvey Putnam
James Rariden
Joseph F. Randolph

Mr. John Reed
Joseph Ridgway
John Robertson
Edward Robinson
David Russell
Leverett Saltonstall
Daniel Sheffer
Ebenezer J. Shields

Mr. William Slade
James B. Spencer
Edward Stanly
Archibald Stuart
William Stone
Henry Swearingen
John Taliaferro
William Taylor

Mr. Joseph L. Tillinghast
George W. Toland
Taylor Webster
Albert S. White
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

The main question was then put, viz : Will the House reconsider the vote on the passage of the bill for the relief of Pamela Brown ?

And passed in the negative.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

The Speaker laid before the House sundry communications, viz :

I. A report from the Secretary of War on the petition of Elijah S. Bell, referred to him on the 11th of May last ; which report was laid on the table.

II. A letter from the Secretary of State, stating that no report has been received at the Department of State from the commissioners appointed to survey and run the boundary between the State of Missouri and the Territory of Iowa, called for by the House on the 31st December ultimo ; which letter was referred to the Committee on the Territories.

III. A letter from the Secretary of State, transmitting a list of the names of the persons employed as clerks in the Department of State in the year 1838, with the compensation of each ; which letter was ordered to lie on the table.

IV. A letter from the Secretary of the Treasury, transmitting a report from the Comptroller of the Treasury, in answer to the call of the House of the 31st December ultimo, for information in relation to the circular of the Comptroller issued in the year 1821, and in relation to certain bonds and warrants referred to in the documents accompanying the President's message in relation to the default of Samuel Swartwout, late collector of New York ; which letter and accompanying papers were laid on the table.

And the House, at half-past four o'clock, adjourned until to-morrow, twelve o'clock meridian.

SATURDAY, JANUARY 5, 1839.

Mr. Mason, of Ohio, by leave, moved the following resolution, viz :

Resolved, That Mr. George W. Jones, late Delegate from the Territory of Wisconsin, is not entitled to mileage, or a per-diem compensation, on account of his attendance at the present session of Congress.

The said resolution being read,

The question was stated that the House do agree to the said resolution ;

And, after debate,

The previous question was moved by Mr. Biddle ; and, being demanded by a majority of the members present,

The said previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative.

The said main question was then put, viz : Shall the resolution pass ?

And passed in the negative, { Yeas, 90,
Nays,

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. James Alexander, jr.
Heman Allen
Linn Banks
John Bell
Bennet Bicknell
Samuel Birdsell
William Key Bond
Ratliff Boon
Nathaniel B. Borden
Andrew Buchanan
William B. Calhoun
William B. Campbell
John Chaney
Richard Cheatham
William K. Clowney
Henry W. Connor
Thomas Corwin
Robert Craig
Isaac E. Crary
Robert B. Cranston
Edward Curtis
Samuel Cushman
Edward Darlington
William C. Dawson
Thomas Davee
Edward Davies
George H. Dunn
Franklin H. Elmore
George Evans
Richard Fletcher

Mr. Jacob Fry, jr.
Albert Gallup
Joshua L. Giddings
Patrick G. Goode
John K. Griffin
Hiland Hall
William Halsted
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
William Herod
Ogden Hoffman
Thomas B. Jackson
Joseph Johnson
John P. Kennedy
Dixon H. Lewis
Arphaxed Loomis
Richard P. Marvin
Samson Mason
William L. May
John P. B. Maxwell
Robert McClellan
Abraham McClellan
Charles F. Mitchell
Samuel W. Morris
Calvary Morris
Charles Naylor
William H. Noble
Joseph C. Noyes
George W. Owens

Mr. Amasa J. Parker
Luther C. Peck
David Petrikin
Lancelot Phelps
David Potts, jr.
Zadock Pratt
John H. Prentiss
James Rariden
John Reed
Abraham Rencher
Joseph Ridgway
Francis E. Rives
Edward Robinson
David Russell
Leverett Saltonstall
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard
Mark H. Sibley
Edward Stanly
Henry Swearingen
John Taliaferro
George W. Toland
Joseph R. Underwood
Abraham Vanderveer
Albert S. White
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams
Jared W. Williams.

Those who voted in the negative are—

Mr. John Quincy Adams
John T. Andrews
Charles G. Atherton
William Beatty
Andrew Belme
Richard Biddle
James W. Bouldin
George N. Briggs
Isaac H. Bronson
John Calhoun
C. C. Cambreleng
John Campbell
William B. Carter
Zadok Casey
John Chambers
Jesse F. Cleveland
Walter Coles
George W. Crabb
John W. Crockett
Caleb Cushing
Edmund Deberry
John I. De Graff
George C. Dromgoole
John Edwards
Horace Everett
John Ewing
James Farrington
Isaac Fletcher
James Garland
William Graham
Seaton Grantland
Hiram Gray

Mr. Elisha Haley
Robert H. Hammond
Thomas L. Hamer
Albert G. Harrison
Richard Hawes
Hopkins Holsey
Orrin Holt
Edward B. Hubley
Robert M. T. Hunter
Daniel Jenifer
Henry Johnson
William Cost Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Henry Logan
Francis S. Lyon
James M. Mason
Joshua L. Martin
Abram P. Maury
Charles McClure
Thomas M. T. McKennan
Charles F. Mercer
John J. Milligan
John Miller
Ely Moore
William S. Morgan
Charles Ogle
William Parmenter
Virgil D. Parris

Mr. Lemuel Paynter
James A. Pearce
Francis W. Pickens
Arnold Plumer
John Pope
William W. Potter
Harvey Putnam
Joseph F. Randolph
John Robertson
Edward Rumsey
Ebenezer J. Shields
Matthias Shepler
William Slade
Adam W. Snyder
William W. Southgate
James B. Spencer
Archibald Stuart
William Stone
Francis Thomas
Isaac Teucey
George W. Towns
Henry Vail
David D. Wagener
Taylor Webster
Joseph Weeks
John White
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Wood
Archibald Yell
Thomas Jones Yorke.

A motion was made (at half-past two o'clock) by Mr. Stanly, that the House do adjourn ; which was decided in the negative.

A motion was made by Mr. Harlan, that the rules in relation to the order of business be suspended, to enable him to move the following resolution, viz :

Resolved, That the Secretary of War be directed to communicate to this House a statement of the final settlement of the accounts of Lewis Cass, late superintendent of Indian affairs ; of the annual salary of said superintendent, and of any extra compensation, commissions, or other allowances, over and above his annual salary, which have been credited or allowed to him at the Treasury Department ; and at what time, and under what law or rule of the Department, said allowances were made.

The question was then put, Shall the rule be suspended for the purpose aforesaid ?

And passed in the affirmative, (two-thirds voting therefor,) { Yeas, 125,
Nays, 27.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams	Mr. Joshua R. Giddings	Mr. Ely Moore
James Alexander, jr.	Patrick G. Goode	Calvary Morris
Heman Allen	William Graham	Charles Naylor
John W. Allen	William J. Graves	Joseph C. Noyes
Linn Banks	George Grennell, jr.	Charles Ogle
Andrew Beirne	John K. Griffin	William Parmenter
John Bell	Hiland Hall	Luther C. Peck
Richard Biddle	William Halsted	Francis W. Pickens
Nathaniel B. Borden	James Harlan	John Pope
James W. Bouldin	Albert G. Harrison	David Potts, jr.
George N. Briggs	Alexander Harper	Harvey Putnam
Andrew Buchanan	William S. Hastings	James Rariden
John Calhoun	Micajah T. Hawkins	Joseph F. Randolph
C. C. Cambreleng	Thomas Henry	John Reed
William B. Campbell	William Herod	Abraham Rencher
William B. Carter	Ogden Hoffman	Joseph Ridgway
Zadok Casey	Samuel Ingham	Francis E. Rives
John Chaney	Thomas B. Jackson	John Robertson
Richard Cheatham	Daniel Jenifer	Edward Robinson
John C. Clark	Henry Johnson	Edward Rumsey
Thomas Corwin	William Cost Johnson	Leverett Saltonstall
George W. Crabb	Nathaniel Jones	Augustine H. Sheppard
Robert Craig	John P. Kennedy	Charles Shepard
Isaac E. Crary	Dixon H. Lewis	Ebenezer J. Shields
Robert B. Cranston	Levi Lincoln	William Slade
John W. Crockett	Francis S. Lyon	William W. Southgate
Edward Curtis	Richard P. Marvin	James B. Spencer
Caleb Cushing	James M. Mason	Edward Stanly
Samuel Cushman	Samson Mason	William Stone
Edward Darlington	Abram P. Maury	John Talliaferro
William C. Dawson	William L. May	Francis Thomas
Thomas Daves	John P. B. Maxwell	Joseph L. Tillinghast
Edward Davies	James J. McKay	George W. Towns
Edmund Deberry	Charles McClure	Hopkins L. Turney
George H. Dunn	Thomas M. T. McKennan	Joseph R. Underwood
John Edwards	Richard H. Menefee	Abraham Vanderveor
George Evans	Charles F. Mercer	David D. Wagener
Horace Everett	John J. Milligan	Albert S. White
Richard Fletcher	John Miller	John White
Millard Fillmore	Charles F. Mitchell	Lewis Williams
Jared W. Williams	Thomas J. Word	Thomas Jones Yorke.
Henry A. Wise	Archibald Yell	

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
William Beatty
Bennet Bicknell
John C. Brodhead
Isaac H. Bronson
Henry W. Connor
John I. De Graff

Mr. George C. Dromgoole
James Farrington
Jacob Fry, jr.
Albert Gallup
Thomas L. Hamer
Edward B. Hubley
George M. Keim
Daniel P. Leadbetter
Henry Logan

Mr. Samuel W. Morris
William H. Noble
George W. Owens
David Petrikin
William W. Potter
Daniel Sheffer
Matthias Sheplor
Adam W. Snyder
Henry Swearingen.

On motion of Mr. McKay, the resolution was amended by adding thereto, as follows: "together with any opinion of the Attorney General which may have been given in regard to said accounts and allowances."

As thus amended, the resolution was agreed to by the House; and so it was

Resolved, That the Secretary of War be directed to communicate to this House a statement of the final settlement of the accounts of Lewis Cass, late superintendent of Indian affairs; of the annual salary of said superintendent; and of any extra compensation, commissions, or other allowances over and above his annual salary, which have been credited or allowed to him at the Treasury Department; and at what time, and under what law or rule of the Department, said allowances were made; together with any opinion which may have been given by the Attorney General in regard to said accounts or allowances.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting copies of the returns rendered to the Treasury Department, agreeably to law, by the incorporated banks of the District of Columbia, showing the state of their affairs at the close of the year 1838; which letter and statements were laid on the table.

And then, at three o'clock, the House adjourned until Monday next, at twelve o'clock meridian.

MONDAY, JANUARY 7, 1839.

The consideration of the petition of inhabitants of West Randolph, in the county of Orange, and State of Vermont, praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti, presented by Mr. Slade on the 20th of December ultimo, and laid on the table to be taken up in its order, under the 51st rule of the House, being called for by Mr. Slade:

The Speaker decided that, according to the 51st rule, which provides that petitions, memorials, and other papers, shall not be debated on the day of their being presented, "nor on any day assigned by the House for the receipt of petitions after the first thirty days of the session, unless where the House shall direct otherwise," the said petition could not be considered at this time, this being a day assigned by the House for the receipt of petitions, (the first thirty days of the session having expired,) unless directed by a vote of the House.

A motion was then made by Mr. Slade, that the House do proceed to the consideration of said petition;

And the question being put,

It passed in the negative.

Mr. Downing presented a petition of Telman D. Peurifoy, of Jefferson county, in the Territory of Florida, praying compensation for slaves murdered, and other property destroyed by the Indians.

Mr. Downing presented documentary evidence in support of the claim of William H. Williams, keeper of the light-house at Mosquito inlet, in Florida, for compensation for property lost by the destruction of the said light-house.

Mr. Downing presented a memorial of William A. Whitehead, late collector of the customs for the district of Key West, in Florida, praying that the accounting officers of the Treasury may be authorized to credit him, on the settlement of his accounts, with the sum of \$554 36, as part of the amount of two debentures issued and paid by him to Pardon C. Greene on the exportation, from the port of Key West, of a certain quantity of jerked beef.

Mr. Downing presented communications relative to the case of William G. Sanders, late army sutler at Fort Brooke, in Florida.

Mr. Downing presented a petition of James Pennoyer, late master and owner of the steamboat Dolphin, praying remuneration for services rendered to the United States, and for the loss of the said steamboat.

Mr. Downing presented a petition of William C. Miller, of Florida, praying compensation for his cotton and lumber taken for public purposes in Florida.

Mr. Downing presented documents in support of the claim of Stephen J. Roche, Masters Russ, and Joseph Russ, for remuneration for the repair of the road leading from Pensacola to Tallahassee, in Florida.

Mr. Downing presented communications, and a certificate from Joseph M. Hernandez, relative to the reconstruction of the parapet and picket contiguous to Fort Marion.

Mr. Downing presented a petition of James M. Harris, of Gadsden, in Florida, praying that he may be paid the difference in the expense of transporting the mail on horseback and in a two-horse carriage, from Tallahassee to Micanopy, in Florida, and for his extraordinary expenses, danger, and trouble incurred in transporting said mail.

Mr. Downing presented communications relative to the case of Doctor William L. Wharton, and the case of Assistant Surgeon Weightman.

Mr. Downing presented documentary evidence in support of the claim of Doctor Bernard M. Byrne for remuneration for professional services to troops in the service of the United States.

Mr. Downing presented papers in relation to claims of Doctor Andrew Welch and Doctor William De Forrest, for medical attendance on the troops, laborers, and artisans in the service of the United States, in Florida.

Mr. Harrison presented a petition of Richard Brannin, John Knause, Zachariah Benson, William Becket, and Joseph Gray, praying compensation for horses lost in the Black Hawk war.

Mr. May presented the claim of William H. Spiller, who was a private in Captain Reuben Brown's company, in the expedition against the Indians on the frontiers of Illinois and Michigan in the year 1832, for remuneration for a horse lost in said expedition.

Mr. Rariden presented a communication relative to the contract of Benjamin Sayre, for the construction of the abutments of the bridge at the east fork of White water, on the Cumberland road, in Indiana.

Mr. Graham, of North Carolina, presented a petition of E. P. Miller,

of the State of North Carolina, a captain commanding a company of volunteers called out by the Governor of North Carolina, against the Cherokee Indians, praying further remuneration for services so rendered.

Mr. Legare presented a petition of Elizabeth S. W. Bacot, Elizabeth Henry Bacot, and Mary D. Bacot, of the State of South Carolina, praying that the law of the last session of Congress, "for the relief of the legal representatives of Thomas W. Bacot, deceased," may be so amended as to cause the amount granted to be made payable to the petitioners.

Mr. Legare presented a petition of D. Von Quenauon, of Charleston, South Carolina, who was mustered into the service of the United States as a captain of a volunteer corps of cavalry, in October, 1837, and employed in the Florida campaign, praying that the sum of two hundred dollars may be refunded to him by the War Department, which was exacted, and paid by him, for forage for his own horses.

Mr. Campbell, of South Carolina, presented a petition of Mary Helen, of Georgetown, in the State of South Carolina, mother of James A. Dudley, late of the United States navy, praying compensation for property left by her son, the said James A. Dudley, at Tunis, where he died, in 1817.

Mr. Taliaferro presented a petition of Robert S. Garnett, collector of the district of Tappahannock, in the State of Virginia, praying credit for the amount of a certain duty bond, executed by Joshua Yeaton, received by the said collector from his predecessor; which bond has since been lost, and the said Yeaton is now believed to be insolvent.

Mr. Naylor presented a memorial of Charles Blight, of Philadelphia, on behalf of himself and the other heirs of the late Robert Fulton, praying that the bill "for the relief of the heirs of Robert Fulton," which passed this House at the last session, and was not finally acted upon in the Senate, may be passed into a law.

Mr. Fletcher, of Vermont, presented a petition of Mary Peck, widow of Ichabod Peck, late of Montpelier, in the State of Vermont, praying compensation for property destroyed by the United States troops during the war of 1812 with Great Britain.

Mr. Calhoun, of Massachusetts, presented a petition of Thomas Blanchard, claiming to be the original and true inventor of a new and useful improvement in the cutting or turning irregular forms out of wood, iron, brass, and other materials, praying payment of a claim against the Government, arising under a contract with the War Department for the use of his invention at the armories at Springfield and Harper's Ferry.

Mr. Calhoun, of Massachusetts, presented the petition of John Chaffee, of Windsor, in the State of Connecticut, praying payment of his claim for services as military storekeeper and paymaster at the national armory at Springfield, in the State of Massachusetts.

Ordered, That the said petitions be referred to the Committee of Claims.

The undermentioned petitions, heretofore presented, were again presented, and referred to the Committee of Claims, to wit:

By Mr. Harrison: The petition of John Moore, presented December 20, 1836.

By Mr. Hoffman: The petition of Matthews & Wood and James Hall, presented January 8, 1838.

By Mr. Evans: The petition of John Hamlin and Nathaniel Hamlin, presented January 16, 1837.

By Mr. Jenifer: The petition of James Kilgore, presented January 16, 1837.

By Mr. Graham, of Indiana: The petition of John M. Pounds, presented February 14, 1838;

The petition of William Garner, presented February 14, 1838;

The petition of William J. Owens, presented February 14, 1838;

The petition of James Cooper, presented February 14, 1838;

The petition of Alfred Huckleberry, presented February 14, 1838;

The petition of Meedy W. Shields, presented February 14, 1838;

The petition of William Thomas, presented February 14, 1838;

The petition of John Gibson, presented February 14, 1838;

The petition of John Gibson, administrator of John Gibson, deceased, presented February 14, 1838;

The petition of Daniel S. Been, presented March 5, 1838;

The petition of William Patrick, presented February 14, 1838;

The petition of Basil Bowel, presented February 14, 1838;

The petition of James Hays, presented February 14, 1838;

The petition of Thomas Kelly, presented February 14, 1838;

The petition of Hannibal Durham, presented March 5, 1838;

The petition of James W. Anderson, presented February 14, 1838.

Mr. Goode presented a petition of citizens of Lucas and Wood counties, in the State of Ohio, praying payment of their demands against the Ottawa Indians, which they have been prevented from collecting in consequence of the removal of the Indians by the Government; which was referred to the Committee on Indian Affairs.

Mr. Stone presented the case of John McClanahan, presented January 30, 1826; which was referred to the Committee on Indian Affairs.

Mr. Crary presented a petition of inhabitants of the counties of Oakland and Macomb, in the State of Michigan, praying that the mail route from Pontiac to Onion may be continued to Lakeville, Mount Pleasant, and Romeo; and that the mail as now carried from Romeo to Mount Pleasant and Lakeville may be discontinued.

Mr. Crabb presented a petition of inhabitants of the State of Alabama, praying the establishment of a mail route from Tuscaloosa, in Alabama, to Jackson, in the State of Mississippi.

Mr. Rariden presented a petition of citizens of the counties of Jay, Blackford, Wells, Huntington, and Wabash, in the State of Indiana, praying for the establishment of a post route from Portland to Lancaster.

Mr. Goode presented a petition of citizens of the State of Ohio, praying for the establishment of a post route from Findley to Defiance.

Mr. Goode presented a petition of citizens of Sandusky and Wood counties, in the State of Ohio, praying for the establishment of a post route from Lower Sandusky to the road leading from Lima to Perrysburg.

Mr. Harper presented petitions of inhabitants of Muskingum, Coshoc-ton, and Knox counties, in the State of Ohio, praying for the establishment of a post route from Zanesville to Gambier.

Mr. Giddings presented a petition of citizens of, the county of Geauga, in the State of Ohio, praying for the establishment of a post route from Richmond city to Franklin.

Mr. Leadbetter presented three petitions of the citizens of the counties of Muskingum, Knox, and Coshocton, in the State of Ohio, praying for the establishment of a post route from Zanesville to West Carlisle.

Mr. Garland, of Virginia, presented a petition of citizens of Amherst and Rockbridge counties, in the State of Virginia, praying for the establishment of a post route from Lynchburg to Fairfield.

Mr. Klingensmith presented a petition of inhabitants of Westmoreland county, in the State of Pennsylvania, praying for the establishment of a post route from the town of Ligonier to Donegal.

Mr. McKennan presented petitions of inhabitants of Jefferson county, in the State of Ohio, of Brooke county, in the State of Virginia, and of Washington county, in the State of Pennsylvania, praying for the establishment of a post route from Steubenville, Ohio, via Eldersville and Cross-creek village, to Washington, in Pennsylvania.

Mr. Pratt presented a petition of citizens of Schoharie, in the State of New York, praying for the establishment of a post route from Potter Hollow, by Broome, to Gilboa.

Mr. Pratt presented a petition of inhabitants of the counties of Chenango, Otsego, and Delaware, in the State of New York, praying for the establishment of a post route from Sherburne to Stanford.

Mr. Peck presented a petition of inhabitants of Allegany county, in the State of New York, praying for the establishment of a post route from Mount Morris to Portageville.

Mr. Hall presented a petition of citizens of Windham and Windsor counties, in the State of Vermont, praying for the establishment of a post route from Chester to Townshend.

Mr. Ingham presented resolutions of inhabitants of Wolcott, in the State of Connecticut, in favor of the establishment of a post route from Wolcott to Bristol.

Mr. Tillinghast presented a petition of citizens of the States of Rhode Island and Massachusetts, praying for the establishment of a post route from Providence, in Rhode Island, to Brookfield, in Massachusetts.

Mr. Evans presented a petition of citizens of Augusta, and other towns in the State of Maine, praying for the establishment of a post route from Augusta to Bath.

Mr. Doty presented a petition of citizens of the eastern portion of Wisconsin Territory, praying for the establishment of a post route from Springfield to Madison.

Mr. Rariden presented a petition of citizens of the State of Indiana, praying for the establishment of a post route from Cambridge to Muncy-town.

Mr. Gray presented a petition of inhabitants of the county of Chemung, in the State of New York, praying for the establishment of a post route from Fairport to Cayuta.

Ordered, That the said petitions and resolutions be severally referred to the Committee on the Post Office and Post Roads.

Mr. Downing presented a resolution of the Legislative Council of the Territory of Florida, in favor of the passage of a law to authorize the Legislature of the said Territory to select other lands in place of such sixteenth sections as shall prove to be of little or no value; and, also, to select and locate a quantity of land equal to one thirty-sixth part of all

the lands which may have been granted by the British and Spanish Governments, and to authorize the sale of certain lands therein described.

Mr. Downing presented a resolution of the Legislative Council of the Territory of Florida, in favor of the passage of a law giving to the counties of Columbia and Alachua a quarter section of land each ; the funds of which to be appropriated to the rebuilding of the court-houses and jails in said counties.

Mr. Downing presented a resolution of the Legislative Council of the Territory of Florida, soliciting Congress to appropriate five thousand dollars for the repairs of the court-house in Duval county.

Mr. Downing presented a resolution of the Legislative Council of the Territory of Florida, asking an appropriation of four thousand dollars to complete the court-house in Jefferson county.

Mr. Downing presented a resolution of the Legislative Council of the Territory of Florida, asking an appropriation of five thousand dollars for the purchase of a library for said Council and for the court of appeals.

Mr. Downing presented a memorial of the Legislative Council of the Territory of Florida, praying for the passage of a law conferring the power on the Governor and Legislative Council to sell a portion of the school lands, and apply the interest of the proceeds to the purposes of education.

Mr. Downing presented presentments of the grand jury for the counties of St. John's and Mosquito, in the Territory of Florida, at October term, 1838, setting forth the aggressions of the Indians, and expressive of a wish that the Government would adopt some plan to remove the Indians from the said Territory, and calling the attention of their Delegate in Congress to an act of the Legislative Council, passed the 10th February, 1835, by which the Southern Life Insurance and Trust Company is exempted from penalties and liabilities to which said company was subjected by the act of incorporation, passed 12th February, 1835, and recommending that said amendment be annulled ; and recommending, also, the prompt completion of the steamboat navigation from the Saint Mary's to the Saint John's river ; and a revision of the election laws of said Territory ; also, a revision of the laws punishing crimes committed by the colored population, and that authority be given to the Senate and House of Representatives of Florida to enact laws for the speedy trial of all colored culprits.

Mr. Doty presented a petition of the tribe of Indians called the Brother-town Indians, praying to be acknowledged citizens of the United States, and for an equal division of their lands.

Ordered, That said petitions and papers be severally referred to the Committee on the Territories.

Mr. Hoffman presented a petition of A. B. Quinby, praying that the Commissioner of Patents be authorized to issue a patent to him and the heirs of James Anderson, deceased, for a new mode of preventing explosion in steam-engines.

Mr. Saltonstall presented a petition of George Gray, of Massachusetts, heretofore presented April 9, 1838.

Mr. Saltonstall presented a petition of Amelia Mellus, of Boston, Massachusetts, heretofore presented March 20, 1838.

Ordered, That said petitions be severally referred to the Committee on Patents.

Mr. Curtis presented a petition of citizens of New York, praying the passage of an act imposing a duty on pins imported from foreign countries equal to the duty now imposed upon imported brass wire.

Mr. Richard Fletcher presented a memorial of Charles Louis Fleischmann, of Washington city, in the District of Columbia, on the subject of the manufacture of sugar from beets.

Ordered, That the said petition and memorial be referred to the Committee on Manufactures.

Mr. McKennan presented a memorial of inhabitants of Granville, in the State of Ohio, praying a repeal of so much of any law of the United States as requires the transportation and opening of mails on the Sabbath day; which memorial was laid on the table.

Mr. Downing presented a petition of inhabitants of the city of St. Augustine, in East Florida, praying that the appropriation of \$17,000 heretofore made for constructing a bridge and causeway over the St. Sebastian river, and for making and repairing the road from St. Augustine to Picolata, may be withdrawn from the common road, and transferred to the St. Augustine and Picolata Railroad Company.

Mr. Downing presented a resolution of the Legislative Council of the Territory of Florida, approved 8th February, 1838, requesting the Delegate in Congress from the Territory of Florida to obtain, if practicable, an appropriation of five thousand dollars for the opening and putting in repair the road laid out by James Watson and others, from a point near the house of Peter W. Gautier, senior, on St. Andrew's bay, to its intersection with the Compass road; thence with that road to Dry creek, near McQuaig's mill; thence by the nearest and best route to Webbville, in the county of Jackson.

Mr. May presented a petition of B. V. Teel, president of the Rushville Railroad Company, in Illinois, praying a donation of the public land to aid in the construction of said railroad.

Mr. Beatty presented two petitions of citizens of the western counties of Pennsylvania, praying Congress to pass a law appropriating the means and providing for the construction of a Macadamized national road from Brownsville (or some other suitable point on the National road) to the United States arsenal near Pittsburg, and from thence, by the State arsenal at Meadville, to the harbor of Erie on lake Erie.

Mr. Gray presented a petition of inhabitants of Chemung county, in the State of New York, praying for the improvement of the navigation of the Alleghany river between Pittsburg, in Pennsylvania, and Olean, in New York.

Mr. Taylor presented a like petition of inhabitants of Skaneateles, in the State of New York.

Mr. Marvin presented a like petition of inhabitants of the State of New York.

Mr. Russell presented a petition of inhabitants of the counties of Clinton and Essex, in the State of New York, praying for the construction of a military or national road from Whitehall, in the county of Washington, to Plattsburg, in the county of Clinton, along the margin of lake Champlain.

Mr. Doty presented a petition of inhabitants of the Territory of Wisconsin, praying for a grant of land for the purpose of improving the navigation of the Peckatonic river, from the point where the State line of Illinois crosses said river, to the town of Mineral Point in said Territory.

Ordered, That the said petitions and resolution be referred to the Committee on Roads and Canals.

Mr. Yell presented a memorial of the Legislature of the State of Arkansas, praying for the passage of a law remunerating innocent settlers on the seminary lands of that State for their improvements, by the donation of at least one quarter section of land to each person, to be located on any of the unappropriated lands of the United States in the State of Arkansas.

Mr. Yell presented a memorial of the Legislature of Arkansas, praying for the passage of a law authorizing the citizens in each township to relinquish the 16th section of land where the same is otherwise appropriated, or is sterile and unfit for cultivation, and to locate other lands in lieu thereof on any unappropriated lands in their respective townships.

Mr. Miller presented a petition of William Sanders, of Springfield, in the State of Missouri, setting forth his case at length, and praying the passage of a law giving him the right of pre-emption to certain lands in that State.

Mr. Crabb presented a petition of the trustees of the Alabama Female Atheneum of the city of Tuscaloosa, praying a relinquishment to the State of Alabama of a portion of the public domain for the use of said institution.

Mr. Casey presented a petition of citizens of Edgar county, in the State of Illinois, praying the right of pre-emption to a certain section of land for the use and benefit of the Davies seminary.

Mr. Goode presented a petition of John Baker, of the State of Ohio, praying for a pre-emption right to certain land in that State.

Mr. Goode presented a petition of George Miller and Ferdinand Miller, of Allen county, in the State of Ohio, praying pre-emption rights to certain lands in said State.

Mr. Cambreleng presented a petition of the Domestic and Foreign Missionary Society of the Protestant Episcopal Church, praying for a perfect title to a certain parcel of land occupied and improved by said society in their operations for the benefit of the Menomonie and other Indians.

Ordered, That the said petitions and memorials be referred to the Committee on the Public Lands.

Mr. Downing presented papers in support of a claim of Major William Gates, of the United States army, for reimbursement for expenses incurred in consequence of his dismissal from the army, his trial by a court-martial, and subsequent restoration to his rank in the army.

Mr. Kemble presented three petitions of officers of the line of the army of the United States, setting forth, at length, the difference of pay between the line and staff of the army; the unequal rate of promotion of the officers of the line, when compared with those of the staff; and contrasting generally the duties of the officers of the staff and of the line; and praying Congress to place the line of the army upon an equal footing with the several staff corps.

Mr. Kemble presented a petition of William Fabre, a sergeant in the army of the United States, setting forth that he was on board the ship Saratoga, in the battle on lake Champlain, on the 11th day of September, 1814, and praying that his share of prize-money, amounting to one hundred and twenty dollars and forty-two cents, which has never been received by him, may be paid to him.

Ordered, That said petitions and papers be referred to the Committee on Military Affairs.

The undermentioned petitions, heretofore presented, were again presented, and referred to the Committee on Military Affairs, viz :

By Mr. Mason, of Virginia : The petition of the heirs of George Baldwin, heretofore presented December 26, 1836 ; the petition of Ann C. Stephenson, heretofore presented February 13, 1837 ; the petition of William Strider, heretofore presented March 12, 1838.

Mr. Harrison presented a petition of Henriette De Kersaint, of St. Louis, in the State of Missouri, praying for a remission of the duties upon a case of shoes and chaussons, sent from Paris to New York to her care, as a sister of the Sacred Heart of Jesus, in the convent of nuns of said order at St. Louis, aforesaid, as a donation to the poor orphans who are receiving a gratuitous education and support at said convent.

Mr. Darlington presented a petition of citizens of the borough of Marcus Hook, in the State of Pennsylvania, praying for an appropriation of twenty-five thousand dollars for the construction of piers at that place.

Ordered, That said petitions be referred to the Committee of Ways and Means.

Mr. Foster presented a petition of Gorham A. Worth, of the city of New York, one of the sureties of Samuel Edmonds, late principal paymaster of the militia of the State of New York, upon a final settlement of whose accounts a balance was found due to the United States of about four thousand dollars, praying, for reasons given in said petition, that he may be discharged from any further liability in the premises.

Mr. Crabb presented a petition of citizens of Tuscaloosa, in the State of Alabama, praying for the establishment of a district court of the United States at the seat of Government of said State.

Ordered, That said petitions be referred to the Committee on the Judiciary.

Mr. Downing presented a resolution of the Legislative Council of the Territory of Florida, urging upon Congress the necessity and utility of erecting a light-house on Cape St. Blas.

Mr. Downing presented a resolution of the Legislative Council of the Territory of Florida, urging the necessity of an appropriation being made by Congress for the erection of a marine hospital at the city of St. Joseph.

Mr. Owens presented a petition of R. and U. King, in behalf of themselves and other owners of the steamboat "Florida," asking permission to change her name to that of "General Clinch."

Mr. McKay presented a memorial of Anthony C. Meneghetty, representing that some time during the summer of 1838, the sloop Sarah, built in Sierra Leone as a British vessel, but at that time sailing under the Spanish flag, put into the port of Key West, in the Territory of Florida, in distress, where she was condemned as unseaworthy and sold by order of the port warden, and that he became the purchaser of her ; and having repaired her at an expense nearly equal, as he believes, to the cost of building a new vessel, he prays that a register may be issued to the said sloop Sarah.

Mr. Taliaferro presented a petition of the inhabitants of the town and vicinity of Occoquan, in the State of Virginia, praying that an appropriation may be made for the removal of a bar near the mouth of their river, and for the improvement of the navigation thereof.

Mr. Toland presented a memorial of the chamber of commerce of Philadelphia, praying for the construction of a harbor at the mouth of the Delaware and Chesapeake canal, on the river Delaware.

Mr. Towns presented a petition of sundry citizens of the State of Georgia, praying that the city of Augusta, in said State, may be made a port of entry.

Mr. McClellan, of New York, presented a petition of Charles Kohler, praying compensation for piloting the United States schooners *Nevis*, *Heroine*, *Di Vernon*, and *Emeline*, into the harbor of Indian river, in the Territory of Florida; and for his services in saving and endeavoring to save the lives of the crews and property on board said vessels.

Mr. McClellan, of New York, presented a petition of Charles Darling and others, of Hudson, in the State of New York, praying an appropriation for the improvement of the harbor of North Black river, in the State of Michigan.

Mr. Plumer presented a memorial of sundry citizens of Erie, in the State of Pennsylvania, praying the establishment of a steam revenue-cutter on the Northern lakes.

Mr. Marvin presented a memorial of masters of steamboats and vessels navigating lake Erie and the upper lakes, praying that an appropriation may be made for the improvement of Van Buren harbor, on lake Erie, in the State of New York, by the erection of a pier or breakwater.

Mr. Pratt presented a petition of the inhabitants of the village of Catskill, in the county of Green, in the State of New York, praying that an appropriation may be made for the improvement of Catskill creek.

Mr. Curtis presented a communication from W. A. Whitehead, on the subject of making Indian Key, in Florida, a port of entry, and referring to his remonstrance against the same, heretofore presented.

Mr. Hoffman presented a petition of John M. Jacquelin, of the city of New York, praying for a return of duties paid by him on goods not liable by law to the payment of duties.

Mr. Cambreleng presented a memorial of the merchants of New York, praying for a drawback of duty on coal consumed on board of steamboats employed in the foreign trade; heretofore presented, May 21, 1838.

Mr. Ingham presented a petition of the inhabitants of Guilford and others interested in navigation in the State of Connecticut, on the Long-island sound, praying that a light-house may be erected at or near a place called "Chimney-corner point," on the Sachem's-head harbor, in said Guilford.

Mr. Ingham presented a petition of the inhabitants of New Haven, in the State of Connecticut, praying for an appropriation for the protection and improvement of the harbor of New Haven, and the entrance of Connecticut river.

Mr. Haley presented a petition of Nathan Smith, of Stonington, in the State of Connecticut, owner and agent of the fishing schooner "*James Monroe*," praying for a bounty under the law granting a bounty to fishermen; heretofore presented, January 18, 1836.

Mr. Haley presented a petition of Isaac Champlin and others, owners and crew of the schooner "*Buffalo*," of Stonington, in the State of Connecticut, praying to be paid the bounty on a fishing voyage to the straits of Belle Isle, in the year 1830, to which they are entitled by law; heretofore presented, December 21, 1835.

Mr. Reed presented a petition of Levi Eldridge, of Chatham, in the county of Barnstable and State of Massachusetts, in behalf of himself and others, owners of the schooner Harriet, of Chatham, in said State, representing that he commenced a fishing voyage in 1838, and was cast away, and praying to be allowed the same bounty to which he would have been entitled if the voyage had been prosecuted without disaster and had returned in safety.

Mr. Saltonstall presented a petition of John H. Russell, of Marblehead, in the county of Essex and State of Massachusetts, who represents that he was late master of the fishing schooner Lucy Ann, of Salem, in said county, and that he cleared, with said schooner, from the said port of Salem, on or about the 16th day of April, 1838, for a cod-fishing voyage to the coast of Labrador; that, on the morning of the 6th of June, while pursuing his voyage, he was run down by the British brig "Richmond Lass," and his schooner sunk and the crew lost. He, therefore, prays that he may be allowed the bounty to which he would have been entitled had he prosecuted his voyage successfully and returned into port.

Mr. John Quincy Adams presented a petition of Joseph Holmes, of Kingston, in the State of Massachusetts, owner of the schooner Industry, of said Kingston, representing that in May, 1837, he fitted out the said schooner for the cod-fishery; that on the 10th day of September, 1837, the said schooner was reported on the Grand Bank, with nearly a full cargo of fish; that no intelligence whatever has been heard of said schooner since that date; that no doubt remains that the vessel, with all on board, has been lost. He, therefore, prays that the same allowance of bounty on the tonnage of said schooner may be allowed him to which he would have been entitled had the voyage been completed, and the vessel returned safely into port.

Mr. John Quincy Adams presented a petition of the inhabitants of Mattapoisett, in the town of Rochester, in the State of Massachusetts, in the collection district of New Bedford, praying that Mattapoisett may be made a port of entry or delivery.

Mr. John Quincy Adams presented a petition of the inhabitants of Sippican, in the town of Rochester, in the collection district of New Bedford, in the State of Massachusetts, praying that Sippican may be made a port of entry or delivery.

Mr. J. W. Williams, of New Hampshire, presented a petition of Volney French and others, inhabitants of Pike river, in the town of Southport, and its vicinity, county of Racine, and Territory of Wisconsin, praying an appropriation for the improvement of Pike-river harbor.

Mr. Anderson presented a petition of ship-masters and others interested in the commerce and navigation of Penobscot bay and river, in the State of Maine, praying that an appropriation may be made for the erection of a light-house on Drinkwater's bluff.

Mr. Anderson presented a petition of S. Nickerson, jr., administrator, and Salathiel C. Nickerson, owners of the schooner Martha, of the port of Belfast, in the State of Maine, representing that said schooner sailed from said Belfast on the 21st day of May, 1837, bound to the Bay of Chaleurs, under a fishing license, to catch codfish; that she completed the full term of four months in fishing for cod, and was about returning home, when the master purchased a few barrels; and between the 7th and 13th of October, then being on his return home, took about ninety barrels of mackerel. In consequence of these unintentional violations of the law, the

collector of the port of Belfast did not consider himself authorized to allow the bounty to the owners of the said schooner; they therefore pray for relief.

Mr. Anderson presented a petition of Thomas Gilkey and others, inhabitants of the State of Maine, praying that a light-house may be erected at Gilkey's harbor, on Long island, being part of the town of Isleborough, in Penobscot bay.

Mr. Anderson presented a petition of Knatt Crockett and others, citizens of Thomaston, in the State of Maine, praying the erection of buoys and beacons on certain ledges, reefs, and shoals, in the Muscle-ridge channel, the great thoroughfare and passage-way into the great Penobscot bay, in said State.

Mr. Doty presented two petitions of owners and masters of steamboats and vessels on the Northern lakes, praying that a harbor may be constructed at Southport, in the Territory of Wisconsin.

Mr. Doty presented a petition of inhabitants of Racine, in the Territory of Wisconsin;

Mr. Doty presented a petition of inhabitants of Toledo, in the State of Ohio;

Mr. Doty presented a petition of inhabitants of Buffalo, in the State of New York;

Mr. Doty presented a petition of inhabitants of Rochester, in the State of New York;

Mr. Doty presented a petition of inhabitants of Oswego, in the State of New York;

all praying for the improvement of the harbor of Racine, in the Territory of Wisconsin.

Mr. Doty presented a petition of inhabitants of the vicinity of Milwaukee, in the Territory of Wisconsin, praying for the improvement of Milwaukee harbor.

Mr. Doty presented a petition of inhabitants of Milwaukee, praying that it may be made a port of entry.

Ordered, That the said memorials and petitions be referred to the Committee on Commerce.

Mr. Coffin presented a petition of John Wright, a revolutionary pensioner, praying for an increase of pension.

Mr. Harper presented a petition of Cary Pratt, a revolutionary pensioner, praying for an increase of pension.

Mr. Corwin presented a petition of John Boyd, of the town of Lebanon, in the county of Warren, State of Ohio, a soldier of the Revolution, praying for a pension.

The Speaker presented a memorial of the Viscount de L'Aumont, of Paris, in France, an officer in the French allied army of the revolutionary war, praying for a pension.

Mr. Worthington presented a petition of Martha Lamore, of the city of Baltimore, daughter of John Smith, a soldier of the Revolution, praying for a pension; heretofore presented March 12, 1838.

Mr. Coles presented a memorial of Joel Leftwich, of the town of Lynchburg, in the State of Virginia, an ensign in the revolutionary war, praying an increase of pension.

Mr. Halsted presented a petition of Abraham H. King, of the town-

ship of Bloomfield, in the county of Essex, State of New Jersey, a soldier of the Revolution, praying for a pension.

Mr. Halsted presented a petition of Jane Vreeland, of the county of Essex, State of New Jersey, widow of Jacob Vreeland, an ensign in the war of the Revolution, praying for a pension.

Mr. Gallup presented a petition of Nancy G. Van Rensselaer, of the city of Albany, widow of Henry K. Van Rensselaer, a lieutenant colonel in the war of the Revolution, praying for a pension.

Mr. Mitchell presented a petition of Margaret Steele, of the town of Royalton, in the county of Niagara, State of New York, widow of David S. Steele, a soldier of the Revolution, praying for a pension.

Mr. Noble presented papers in support of the claim of John Croft, of the county of Cayuga, State of New York, a soldier of the Revolution, to a pension.

Mr. Russell presented a petition of Stephen Freeman, committee of the estate and person of Elijah Freeman, a lunatic pensioner of the Revolution, praying for arrears of pension.

Mr. McClellan, of New York, presented a petition of Abigail Allen, of Hudson, in the county of Columbia, State of New York, widow of Lathrop Allen, a captain in the war of the Revolution, praying for compensation for losses incurred and property expended by her said husband during the revolutionary war.

Mr. Andrews presented a petition of Helen West, of Milo, in the county of Yates, State of New York, widow of Amos West, a soldier of the Revolution, praying for a pension.

Mr. Curtis presented a petition of Sarah Besley, (formerly Sarah Adams,) widow of Henry Adams, late a surgeon in the Massachusetts line of the Revolution, praying for a pension in right of said Adams.

Mr. Foster presented a petition of Joanna Smith, of New Hartford, in the county of Oneida, State of New York, widow of Shadrack Smith, a soldier of the Revolution, praying for a pension.

Mr. Foster presented a petition of Letty Pond, of Camden, in the county of Oneida, State of New York, widow of Ira Pond, a soldier of the Revolution, praying for a pension.

Mr. Moore presented a petition of Sarah Decker, of the city of New York, widow of Samuel Decker, a soldier of the Revolution, praying for a pension.

Mr. Moore presented a petition of Benjamin Price, of Hunterdon county, New Jersey, a soldier and teamster in the war of the Revolution, praying for a pension, heretofore presented January 18, 1836.

Mr. Hoffman presented a petition of Margaretta Askins, widow of Robert Askins, a lieutenant in the navy of the United States during the revolutionary war, praying for a pension.

Mr. Hoffman presented a petition of Jacob Phillips, of the city of New York, a soldier of the Revolution, praying for a pension.

Mr. Everett presented a petition of Joseph Parker, of Windsor, in the State of Vermont, a soldier of the Revolution, praying for a pension, heretofore presented May 4, 1836.

Mr. Toucey presented a petition of Mary Williams, of East Hartford, in the county of Hartford, State of Connecticut, widow of Jacob Williams, a soldier of the Revolution, praying for a pension.

Mr. Toucey presented a petition of David Goodrich, of the town of

Granby, in the county of Hartford, State of Connecticut, son of David Goodrich, deceased, a soldier of the Revolution, praying for a pension.

Mr. Ingham presented a petition of Elizabeth Pratt, of Middletown, in the county of Middlesex, State of Connecticut, widow of John Pratt, an officer in the war of the Revolution, praying for a pension.

Mr. Ingham presented a petition of Eunice Thatcher, Lucy Chapell, and Elizabeth Douglass, legal heirs of Daniel Starr, an officer in the navy of the United States during the war of the Revolution, praying for a pension for services rendered by their said father.

Mr. Holt presented a petition of John Porter, of Columbia, State of Connecticut, a soldier of the Revolution, praying for a pension.

Mr. Whittlesey presented a petition of Elizabeth Rowe, of the town of New Fairfield, in the county of Fairfield, State of Connecticut, divorced from Squire Ambler, a soldier of the Revolution, widow of Thomas Bearse, deceased, and widow of Abel Rowe, deceased, claiming a pension in right of services rendered by said Squire Ambler, (her first husband,) from whom she was divorced.

Mr. Loomis presented a letter of G. B. Judd, of Frankfort, State of New York, in the case of Conrad Widrig, an applicant for a revolutionary pension.

Mr. Richard Fletcher presented a petition of Mary Smith, of Boston, in the county of Suffolk, in the State of Massachusetts, widow of Zachariah Hall, (her first husband,) a master carpenter in the navy during the war of the Revolution, praying for a pension in right of said Hall.

Mr. Calhoun, of Massachusetts, presented a petition of Justus Rose, of Granville, in the county of Hampden, State of Massachusetts, a soldier of the Revolution, praying for a pension.

Mr. Saltonstall presented a petition of Edward Brooks, of Marblehead, in the county of Essex, State of Massachusetts, heretofore presented April 9, 1838, praying for a pension for naval services rendered by his deceased father and himself in the war of the Revolution.

Mr. Saltonstall presented a petition of Sarah Graves, of Marblehead, in the county of Essex, State of Massachusetts, widow of Samuel Graves, a soldier of the Revolution, heretofore presented July 2, 1838, praying for a pension.

Mr. Lincoln presented a petition of Simon Krewson, a soldier of the Revolution, praying for an increase of pension.

Mr. Atherton presented a petition of Phebe Smith, of Candia, in the county of Rockingham, State of New Hampshire, praying for a pension in right of her first husband, (Ebenezer Eaton,) a soldier of the Revolution.

Mr. Anderson presented a petition of Joseph Roberts, of the town of Brooks, in the State of Maine, a soldier of the Revolution, praying for arrears of pension.

Mr. Anderson presented a petition of Levi Bradish, David Bradish, Mary Wheeler, Sally Butler, and Elizabeth Harris, only surviving children of David Bradish, a major in the army of the Revolution, praying for a pension for services rendered by their late father.

Mr. Richard Fletcher presented a petition of Susan Campbell and Harriet Campbell, of Boston, in the State of Massachusetts, surviving children of Andrew Campbell, an officer of the Revolution, praying for compensation for military services rendered by said Campbell.

Mr. Thompson presented a petition of William Harper, of Pendleton district, in the State of South Carolina, a soldier of the Revolution, heretofore presented January 4, 1838, praying for a pension.

Mr. Graham, of Indiana, presented a petition of George Summers, of Clark county, State of Indiana, a soldier of the Revolution, praying for a pension.

Mr. Evans presented a petition of John Hasey, of Bristol, in the county of Lincoln, State of Maine, a soldier of the Revolution, praying for a pension.

Ordered, That said petitions, memorials, and papers be referred to the Committee on Revolutionary Pensions.

Mr. Chapman, of Alabama, presented a letter and papers of Mrs. Eliza Howard, of the city of Washington, widow of George W. Howard, late of Baltimore, deceased, praying for arrears of pension due her said husband, an officer in the late war.

Mr. Dunn presented a petition of Richard Oliver, of the county of Dearborn, in the State of Indiana, heretofore presented December 12, 1836, praying for a pension for disability alleged to have been incurred while in the military service of the United States.

Mr. Herod presented a petition of Thomas Bronaugh, of Hendricks county, State of Indiana, a soldier of the late war with Great Britain, praying for a pension.

Mr. Graham presented a petition of James Smallwood, of Clark county, in the State of Indiana, a soldier in the Black Hawk war, praying for a pension.

Mr. Allen, of Ohio, presented a petition of Samuel Spalding, of the county of Portage, in the State of Ohio, heretofore presented June 6, 1836, a soldier of the late war with Great Britain, praying for a pension.

Mr. Chambers presented a petition of Joseph Brown, a soldier in the late war with Great Britain, praying for a pension.

Mr. Southgate presented a petition of Thomas Moran, of the county of Harrison, in the State of Kentucky, a soldier of the late war with Great Britain, praying for a pension.

Mr. John L. Murray presented a petition of Joseph Bowlen, of Calloway county, in the State of Kentucky, a soldier of the late war with Great Britain, praying for a pension.

Mr. J. Johnson presented a petition of Thomas Wilson, of the county of Randolph, in the State of Virginia, a soldier in the army of the United States at St. Clair's defeat, praying for a pension.

Mr. Kennedy presented a petition of Daniel Wilson, of the city of Baltimore, an invalid pensioner, praying for an increase of pension.

Mr. Kennedy presented a petition of Louis Barney, of the city of Baltimore, a lieutenant in the late war with Great Britain, praying for a pension.

Mr. Klingensmith presented a petition of Benjamin Jamison, of the county of Westmoreland, in the State of Pennsylvania, a soldier in the late war with Great Britain, praying for a pension.

Mr. Klingensmith presented a petition of William Morain, of the county of Westmoreland, in the State of Pennsylvania, a soldier in the army of the United States at St. Clair's defeat, praying for a pension.

Mr. Petrikin presented a petition of Jacob Boston, a marine in the ser-

vice of the United States at the bombardment of Tripoli, praying for a pension.

Mr. Davies presented a petition of Daniel Keefer, a citizen of the county of Lancaster, in the State of Pennsylvania, a soldier in the late war with Great Britain, praying for a pension.

Mr. Loomis presented a petition of Darius Hawkins, of Newport, in the county of Herkimer, State of New York, an officer in the late war with Great Britain, praying for arrears of pension.

Mr. Loomis presented a letter from John Nellis, of Palatine, in the county of Montgomery, State of New York, in relation to the claim of John Smith for an invalid pension.

Mr. Taylor presented a petition of Daniel Sheppey, of the county of Madison, in the State of New York, an invalid pensioner, praying for arrears of pension.

Mr. Brodhead presented a petition and papers of Peter W. Short, of the county of Ulster, in the State of New York, an invalid pensioner, praying for arrears of pension.

Mr. Putnam presented a petition of Benjamin Hinkley, of the county of Genesee, in the State of New York, a soldier in the late war with Great Britain, praying for a pension.

Mr. Cranston presented a petition of Hannah Hazzard, of Portsmouth, in the county of Newport, State of Rhode Island, widow of Ezekiel Hazzard, a soldier in the late war with Great Britain, heretofore presented January 15, 1838, praying for a pension for military services rendered by her said husband.

Mr. Richard Fletcher presented a petition of Mary Ball, of the city of Boston, widow of Nehemiah Ball, deceased, late a soldier in the army of the United States, praying for a pension.

Mr. Farrington presented a petition of Augustus Bradford, of the town of New Market, in the county of Rockingham, State of New Hampshire, praying for an increase of pension.

Mr. Cushman presented a petition of Samuel Kincaid, of Nottingham, in the county of Rockingham, State of New Hampshire, praying for an increase of pension.

Mr. Evans presented a petition of Enoch Dearborn, of China, in the county of Kennebec, State of Maine, a soldier in the late war with Great Britain, heretofore presented December 12, 1837, praying for a pension.

Mr. Evans presented a petition of John Perham, of Jefferson, in the State of Maine, heretofore presented May 21, 1838, a soldier in the late war with Great Britain, praying for a pension.

Mr. Anderson presented a petition of Thomas Carter, of Montville, in the State of Maine, a soldier of the late war with Great Britain, praying for arrears of pension.

Mr. Anderson presented a petition of Joseph Rose, of Limington, in the county of York, State of Maine, a soldier in the late war with Great Britain, praying for arrears of pension.

Mr. Anderson presented a petition of Thaddeus Hubbard, of Belfast, in the county of Waldo, State of Maine, late a surgeon's mate in the army of the United States during the last war with Great Britain, praying for a pension.

Mr. Parris presented a certificate of inhabitants of Minot and Poland,

in the county of Cumberland, State of Maine, in support of the application of David Hodge, a soldier in the late war with Great Britain, for a pension.

Mr. Parris presented a petition of John Gurney, of Norway, in the county of Oxford, State of Maine, a sergeant in the late war with Great Britain, praying for a pension.

Mr. Robinson, of Maine, presented a petition of Thomas Harrison, late of Boston, in the State of Massachusetts, an officer in the late war with Great Britain, praying for arrearages of pension.

Mr. Joseph L. Williams presented a petition of William Hughes, of the county of Blount, in the State of Tennessee, praying for a pension for military services rendered and disability incurred in the campaign against the Creek Indians in the year 1814.

Ordered, That said memorials, petitions, and papers be referred to the Committee on Invalid Pensions.

Mr. Ridgway presented a petition of Markt Einersheim, residing in the kingdom of Bavaria, in Europe, praying to be allowed a bounty in land for his services as an officer in the French army engaged in the revolutionary war, under the command of Count de Rochambeau; or that Congress will make him some other grant, which shall be a memorial in his family of his services in achieving the freedom and independence of the United States.

Mr. Crockett presented a petition of John Scobey, son of Matthew Scobey, deceased, praying to be allowed and paid the value of a negro man and a wagon and team impressed into the military service during the revolutionary war, and lost.

Mr. Christopher H. Williams presented a petition of Robert Shannon, praying to be paid the value of two horses lost in the military service in the year 1792.

Mr. James Garland presented a petition of Mary Gilmer, heir and representative of Captain Adam Shapley, praying to be allowed bounty land and commutation pay for the services of said Shapley as an officer in the revolutionary war; also to be allowed, as the daughter and legal representative of George House, for his revolutionary services, such bounties as he might have been entitled to on account of said services.

Mr. Craig presented a petition of John H. Kelly, praying to be allowed, as the son and only heir of William Kelly, a captain in the army of the Revolution, who died while in said service, the seven years' half pay promised by the resolves of the old Congress.

Mr. Thomas presented a petition of Elizabeth Lawrence, only child and representative of Captain Jonathan Huger, who was a captain in the army of the Revolution, praying to be allowed the bounty in land and the commutation pay to which he was entitled for his services as an officer in said army.

Mr. Holt presented a petition and proceedings of a meeting of citizens held at Wilkesbarre, in the State of Pennsylvania, asking a grant of land to the sufferers at Wyoming, or their heirs, during the revolutionary war.

Mr. Grennell presented a petition of the children of Hugh Maxwell, an officer in the army of the Revolution, stating that they are poor, and praying relief in consideration of the services of their said father in the war of the Revolution.

Mr. Reed presented a petition of Mary Hellman, of Tisbury, in the State of Massachusetts, praying compensation for services rendered during

the war of the Revolution, in destroying a liberty pole, for the purpose of preventing its being used for a spar to a vessel engaged in the service of the enemy.

Mr. Reed presented a petition of Josiah King, of the State of Massachusetts, praying to be indemnified for the loss of certain lands by his father in Nova Scotia, in consequence of his devotion to, and services in the cause of America, during the revolutionary war.

Mr. Calhoun, of Massachusetts, presented a petition of Charles D. Champlin and Mary S. Smith, of the county of Hampden and State of Massachusetts, heirs of Jesse Wood, late of Saybrook, in the State of Connecticut, praying to be allowed the value of certain loan-office certificates which belonged to the said Wood, and have been accidentally lost or destroyed.

Mr. Jared W. Williams presented a petition of the heirs of Richard Noel, praying to be paid the allowances due their ancestor for services as an officer in the army of the Revolution.

Ordered, That the said petitions be referred to the Committee on Revolutionary Claims.

The undermentioned petitions, heretofore presented, were again presented, and referred to the Committee on Revolutionary Claims, to wit :

By Mr. Harper : The petition of the heirs of Robert Bealle, presented on the 30th January, 1837.

By Mr. Saltonstall : The petition of Elizabeth Converse, presented on the 17th February, 1834.

By Mr. Mason, of Virginia : The petition of the heirs of Colonel Morgan Alexander, presented 14th February, 1838.

By Mr. Banks : The petition of Major John Roberts, presented 11th December, 1833.

By Mr. Loomis : The petition of Captain Daniel Chapman, (with additional documents,) presented on the 14th February, 1838.

By Mr. Peck : The petition of Samuel Gilman, presented 15th January, 1838.

By Mr. Cranston : The petition of Joshua Ross, presented 22d December, 1836.

By Mr. Saltonstall : The petition of Thomas Cloutman, presented 4th June, 1838.

By Mr. Menefee : The petition of the heirs of Richard Apperson, presented 1st February, 1836.

Mr. Mitchell presented a petition of citizens of the county of Niagara, in the State of New York, praying that an appropriation may be made for the improvement of Eighteen-mile creek ; which petition was referred to the Committee on Commerce.

Mr. Wise presented a petition of James S. Pike and Louisa Grosvenor, of Calais, in the State of Maine, praying that the resolution of the House of the 12th instant, relating to the disposition of petitions, may be rescinded.

Mr. Wise moved to refer the said petition to the Committee of the Whole House on the state of the Union, with instruction to report the following resolution :

Resolved, That the resolutions heretofore offered by Mr. Atherton, (of New Hampshire,) and adopted by this House December 12, 1838, *especially that part of the same which recognises the reception, by laying on*

the table, of abolition petitions, be, and the same are hereby, rescinded; and that all petitions in relation to the subject of slavery or the slave-trade in the United States, now received and laid on the table, be returned to those who presented them; and that they, and all of like character hereafter presented, be not *received* by this House.

And, debate arising, the said petition was laid on the table, to be taken up in the order of its presentation, according to the 51st rule of the House.

Mr. Johnson, of Louisiana, presented a memorial of Duncan N. Hennen, a citizen of the State of Louisiana, making charges of high crimes and misdemeanors against P. K. Lawrence, Esq., judge of the district court of the United States for the eastern district of Louisiana, and praying that the House of Representatives will inquire into the facts, whether the said Judge Lawrence, in the exercise of the high trust and confidence reposed in him, has not been guilty of *corrupt, malicious, and dangerous* abuses of power, and that such decision may be made thereon as to the wisdom and justice of the House may seem proper; which was referred to a select committee; and

Mr. Johnson of Louisiana, Mr. Pope, Mr. Whittlesey, Mr. Campbell of South Carolina, Mr. Owens, Mr. Calhoun of Massachusetts, and Mr. Dromgoole, were appointed said committee.

Mr. Sheplor presented the proceedings of a meeting of citizens of Massillon, in Stark county, in the State of Ohio, accompanied by a memorial of said citizens praying a repeal, or an essential modification, of the law of last session of Congress, commonly called "the neutrality law," and entitled "An act to amend an act entitled 'An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned,' approved April 20, 1818."

Mr. Fillmore presented a like memorial of citizens of Buffalo, in the State of New York.

Mr. Curtis presented petitions of citizens of the States of Virginia and Maryland, praying a recognition of the independence of the republic of Hayti.

Mr. Hoffman presented a like petition of citizens of the city of New York.

Mr. Tillinghast presented a like petition of citizens of Little Compton, in the State of Rhode Island.

Mr. Tillinghast presented a like petition of citizens of Gloucester, in the State of Rhode Island.

Mr. Briggs presented two like petitions of inhabitants of Hawley, in the State of Massachusetts.

Mr. Briggs presented a like petition of inhabitants of Bristol, in the State of Maine.

Mr. Ingham presented a memorial of the officers and students of the Wesleyan University, in Middletown, in the State of Connecticut, praying Congress to act as mediator between France and Mexico, and to act as mediator in general, in the various cases of dispute between nations, and to adopt the principle of arbitration as a permanent one in cases of dispute between the United States and other countries.

Mr. Saltonstall presented a like memorial of citizens of Haverhill, in the State of Massachusetts.

Mr. Ingham presented a memorial of sundry citizens of Hartford, in the State of Connecticut, praying that measures may be taken for instituting

a congress of nations for the establishment of a code of international law, and a board of arbitrators for the adjustment of national difficulties.

Mr. Saltonstall presented a like memorial of citizens of Salem, in the State of Massachusetts.

Mr. Fletcher, of Massachusetts, presented a like memorial from the president and executive committee of the American Peace Society of Boston, in the State of Massachusetts.

Mr. Calhoun, of Massachusetts, presented a like memorial of citizens of Belchertown, in the State of Massachusetts.

Mr. Hastings presented a like memorial of inhabitants of Holliston, in the county of Middlesex, and State of Massachusetts.

Mr. John Q. Adams presented a like memorial of legal voters of Chesterville, in the State of Maine.

Mr. Cushman presented a like memorial of citizens of Portsmouth, in the State of New Hampshire.

Ordered, That said memorials be referred to the Committee on Foreign Affairs.

Mr. Ingham presented a memorial of Lydia Wentworth, of Franklin, in the State of Connecticut, widow of Amos Wentworth, who was a revolutionary soldier, and who served as carpenter on board of the public armed schooner Spy during the war of the Revolution, praying for a pension on account of the services of her husband.

Ordered, That the said memorial be referred to the Committee on Revolutionary Pensions.

Mr. Davee presented a petition of Ebenezer S. Greely, of Dover, in the State of Maine, praying compensation for damages sustained in consequence of his arrest and imprisonment by the British authorities while taking the census of the people of Madawaska; which petition was referred to the Committee on Foreign Affairs.

The undermentioned petitions, heretofore presented, were again presented, and referred to the Committee on Private Land Claims:

By Mr. Harrison: The petition of Jeremiah Clay, presented December 29, 1835.

By Mr. Stone: The petition of William Brown, assignee of John Dwiggins.

Mr. Curtis presented a petition of citizens of the city of New York, praying that a duty of five cents per pound may be imposed upon imported starch; which petition was referred to the Committee on Manufactures.

Mr. Allen, of Vermont, presented the following resolution from the Legislature of the State of Vermont, to wit:

STATE OF VERMONT.

Resolved by the Senate and House of Representatives, That the members of Congress from this State be requested to use their efforts to procure from the United States the grant of a tract of land for each of the colleges in this State.

Mr. Fletcher, of Vermont, presented a like resolution from the Legislature of Vermont.

Ordered, That the said resolution be referred to the Select Committee upon the subject of the distribution of the public lands.

Mr. John Quincy Adams presented a memorial of Edward Parker, praying for such an addition of capital to the Smithsonian fund as will enable the governors of that fund to form a department in the city of Washington for the prosecution of mechanical experiments, and for the special instruction of mechanics, engineers, &c.; which said memorial was referred to the Select Committee upon the subject of the Smithsonian bequest.

Mr. John Quincy Adams presented a petition of citizens of the State of New Jersey, praying that an institution may be established, upon the basis of the Smithsonian bequest, for the education of the black population of the Northern States; which petition was referred to the Select Committee upon the subject of the Smithsonian bequest.

Mr. Lincoln presented a petition of a committee in behalf of the Perseverance Fire Company, in the city of Washington, praying an appropriation to aid said company in defraying its indebtedness, incurred in furnishing for its use, and the protection of the public and private property of the city, an engine and the necessary apparatus for working and using the same; which petition was referred to the Committee on the Public Buildings and Grounds.

Mr. Christopher H. Williams presented a petition of a committee in behalf of the Lafayette Beneficial Society of the city of Washington, praying for the incorporation of said society.

Mr. Bouldin presented a petition of the society for establishing "Washington's Manual Labor School and Male Orphan Asylum" of the city of Washington, praying for an act of incorporation.

Mr. Jenifer presented the petition of citizens of the District of Columbia and of the State of Maryland, for a free bridge across the Eastern branch of the river Potomac, in the city of Washington; which petition was presented heretofore, February 14, 1838.

Ordered, That the said petitions be referred to the Committee for the District of Columbia.

Mr. Doty presented six several memorials of miners and other citizens of the Territory of Wisconsin and the State of Illinois, setting forth that the United States is defrauded of certain mineral lands expressly reserved from sale by proclamation of the President of July, 1834, and that, consequently, the rights of miners and lessees under the United States have been invaded and trampled upon; that honest men have been excluded from the purchase of those lands, while the dishonest and unscrupulous have been permitted to enter them by means of fraud and falsehood, thereby wresting from the miner the fruits of years of labor, performed under the permission of the United States Government, and the sanctity of contracts; and praying relief in the premises: which memorial was ordered to lie on the table.

Mr. Kennedy presented a memorial of ship-owners, traders, and merchants of the city of Baltimore, praying for the construction of a revenue-cutter to be propelled by steam.

Mr. Cambreleng presented a petition of William D. Patterson, late a captain's clerk in the navy of the United States, employed on the naval station at New Orleans from the 8th February, 1823, to June 1, 1826, praying payment for his services.

Mr. Vanderveer presented a memorial of Eli Darling, of Brooklyn, in the State of New York, praying compensation for injury received, which

deprived him of his sight, while he was employed in the service of the United States at the Brooklyn navy yard.

Mr. Curtis presented a petition of citizens of Boston, in Massachusetts, who were wounded or disabled during the war of 1812 with Great Britain, and of widows of those wounded in the same war, praying that an appropriation may be made to aid the navy pension fund in the payment of pensions due to those who were disabled in the naval service, and that the pensions of those which have been suspended on account of the said fund being exhausted may be continued.

Mr. Ingham presented a petition of the watchmen of the southwest executive building, praying for additional compensation for their services.

Mr. Ingham presented a petition of Colonel Robert D. Wainwright, of the marine corps of the United States, was wounded in service, praying for an increase of pension, to take effect from the day he was wounded.

Mr. Anderson presented a petition of Sarah Andrews, of Buxton, in the State of Maine, widow of Elisha Andrews, who was injured in the naval service of the United States in 1812, praying compensation for the services of her husband.

Mr. Evans presented a petition of William Allen, of Portland, in the State of Maine, praying remuneration for services rendered and disabilities incurred in the naval service of the United States in the year 1808.

Mr. Naylor presented the petition of Martha P. Young, widow of the late Captain James Young, presented heretofore April 9, 1838.

Mr. Saltonstall presented the petition of Benjamin Hawkes, presented heretofore January 3, 1837.

Ordered, That the said petitions be referred to the Committee on Naval Affairs.

Mr. Biddle presented a memorial of Cadwallader Evans, of Pittsburg, in Pennsylvania, praying for an appropriation to enable him to test his invention for preventing the explosions of steam-boilers, and for the appointment of a select committee to examine the same.

Mr. Biddle presented a memorial of sundry citizens of Pittsburg, in the State of Pennsylvania, expressive of their confidence in the value of the invention of Mr. Cadwallader Evans, and praying that an appropriation may be made fully and fairly to test it by experiment.

Ordered, That the said memorials be referred to the Select Committee appointed upon the report of the Secretary of the Treasury on the subject of steam-boilers.

Mr. Peck presented a communication from H. H. Grover, of Livingston, in the State of New York, upon the bursting of steam-boilers, and the construction of the same; which communication was referred to the Select Committee appointed upon the report of the Secretary of the Treasury on the subject of steam-boilers.

Under the order of the House of the 14th of December last, the following petitions were presented, to wit:

By Mr. Beirne: The petition of Henry Peyton;

The petition of Frances Jones, widow of John Jones;

The petition of John Lybrook;

By Mr. Beatty: The petition of Mary Updegraff, widow of Isaac Updegraff;

By Mr. Toland : The petition of Chambers Gaw ;
which petitions were referred to the Committee on Revolutionary Pensions.

By Mr. Elmore : The petition of the heirs of Richard Shubrick ;
The petition of the heirs of John De Treville ;

By Mr. Banks : The petition of the executors of Thatcher V. Webb ;
which petitions were referred to the Committee on Revolutionary Claims.

By Mr. Toland : The petition of Rebecca Guest, widow of John Guest ;
which petition was referred to the Committee of Ways and Means.

By Mr. Pearce : The petition of Samuel Kerr ; which petition was referred to the Committee of Claims.

By Mr. Fillmore : The petition of John E. Wright ; which was referred to the Committee on Invalid Pensions.

By Mr. Mason, of Virginia : The petition of William Vause ; which was referred to the Committee on Revolutionary Claims.

By Mr. Jackson, of New York : The petition of Job Halsey ;

By Mr. Carter : The petition of Robert and John McFarland, executors of Robert McFarland, deceased ;

By Mr. Hastings : The petition of Phœbe Dickman, widow of John Dickman ;

By Mr. Loomis : The petition of Conrad Widrig ;
which petitions were referred to the Committee on Revolutionary Pensions.

By Mr. Carter : An additional petition and evidence in the case of John Manning, for an invalid pension ; which were referred to the Committee on Invalid Pensions.

By Mr. Randolph : The petition of Hiram L. Meeker ; which was referred to the Committee on Commerce.

By Mr. Stone : The petition of William Kerr ;

By Mr. Hunter : The petition of David Carswell ;

The petition of James Thompson ;

which petitions were referred to the Committee on Revolutionary Pensions.

On motion of Mr. Goode,

The resolution moved by him on the 2d of January, 1838, relative to the sale to the State of Ohio of the alternate sections of land on the Wabash and Erie canal, was referred to the Committee on the Public Lands.

Memorials against the admission of any new slaveholding State into the Union, and remonstrating against the annexation of Texas to the Union of these States, were presented, as follows, to wit :

By Mr. Allen, of Ohio : Of inhabitants of Portage county, Ohio.

By Mr. Giddings : Of inhabitants of Ashtabula county, Ohio.

By Mr. Dunn : Two petitions of inhabitants of Decatur county, in the State of Indiana.

By Mr. Clark, of New York : Of inhabitants of Chenango county, in the State of New York.

By Mr. Marvin : Of inhabitants of Sheridan, in the State of New York.

By Mr. Mitchell : Of inhabitants of Hartland, in the State of New York.

By Mr. Russell : Of inhabitants of Fort Covington, in the State of New York.

By Mr. Sibley : Eight memorials of inhabitants of Hopewell, Farmington, Bristol, Phelps, and Manchester, in the State of New York.

By Mr. Tillinghast: Seven memorials of inhabitants of Lansdale, Scituate, East Greenwich, Cumberland, Providence, and Little Compton, in the State of Rhode Island.

By Mr. Ingham : Of inhabitants of Saybrook, in the State of Connecticut.

By Mr. Allen, of Vermont : Of inhabitants of Johnson, in Vermont.

By Mr. Hall : Of inhabitants of Townsend, in Vermont.

By Mr. Mitchell : Of inhabitants of Lockport, in New York.

By Mr. Ingham : Of inhabitants of Middletown, in Connecticut.

By Mr. Tillinghast : Two memorials of inhabitants of Little Compton and Gloucester, in the State of Massachusetts.

By Mr. Briggs : Two memorials of inhabitants of Hawley, in the State of Massachusetts.

By Mr. Saltonstall : Of inhabitants of Danvers, in Massachusetts.

By Mr. Robinson, of Maine : Of inhabitants of Bristol, in the State of Maine.

By Mr. Smith : Of inhabitants of North Yarmouth, in the State of Maine.

By Mr. Anderson : Of inhabitants of Yates county, in New York.

By Mr. Evans : Of inhabitants of Camden, in the State of Maine.

These said memorials, as presented, were severally laid upon the table, under the order of the House of the 12th of December last.

Memorials praying for the abolition of slavery in the District of Columbia and the Territory of Florida, and for the prohibition of the slave trade between the States, were presented, as follows, viz :

By Mr. Ingham : Of inhabitants of Middletown, in Connecticut.

By Mr. Tillinghast : Of inhabitants of Foster and Gloucester, in the State of Rhode Island.

By Mr. Saltonstall : Of inhabitants of Danvers, in Massachusetts.

By Mr. Briggs : Four memorials of inhabitants of Hawley, in the State of Massachusetts.

By Mr. Reed : Two memorials of inhabitants of Barnstable, in Massachusetts.

By Mr. Robinson : Three memorials of inhabitants of Bristol and Topsham, in the State of Maine.

By Mr. Smith : Of inhabitants of North Yarmouth, in Maine.

By Mr. Anderson : Of inhabitants of Yates county, New York.

By Mr. Evans : Four memorials of inhabitants of Winthrop, of Somerset county, and of Camden.

By Mr. Allen, of Vermont : Of inhabitants of Johnson, in Vermont.

By Mr. Hall : Of inhabitants of Townsend, in Vermont.

These said memorials, as presented, were severally laid upon the table, under the order of the House of the 12th December last.

Petitions praying that slavery may be abolished in the District of Columbia, and in the Territories of the United States, where it exists, and also praying that the slave trade among the States may be prohibited, were presented, as follows, to wit :

By Mr. Giddings : Of inhabitants of the counties of Trumbull and Ashtabula, in the State of Ohio.

By Mr. Allen, of Ohio : Of inhabitants of Randolph, in the State of Ohio.

By Mr. Marvin: Of inhabitants of Sheridan, in the State of New York.

By Mr. Sibley: Nine petitions of inhabitants of Hopewell, Bristol, Phelps, Manchester, and Farmington, in the State of New York.

By Mr. Russell: Of inhabitants of Fort Covington, in the State of New York.

By Mr. Mitchell: Two petitions of inhabitants of Lockport and Hartland, in the State of New York.

By Mr. Reed: Two petitions of males and females of Fair Haven, in the State of Massachusetts.

By Mr. Parmenter: Of inhabitants of Dunstable, in the State of Massachusetts.

By Mr. Saltonstall: Of inhabitants of Linn, in the State of Massachusetts.

By Mr. Grennell: Of inhabitants of Enfield, in the State of Massachusetts.

By Mr. Hall: Of inhabitants of Dorset, in the State of Vermont.

By Mr. Ingham: Of inhabitants of Saybrook, in the State of Connecticut.

These memorials, as presented, were severally laid on the table, under the order of the House of the 12th of December last.

Memorials remonstrating against the annexation of Texas to the Union of these States, were presented, as follows, to wit:

By Mr. Giddings: Five memorials of inhabitants of Ashtabula county, in the State of Ohio.

By Mr. Swearingen: Two memorials of inhabitants of Jefferson county, in the State of Ohio.

By Mr. Allen, of Ohio: Of inhabitants of Randolph, in the State of Ohio.

By Mr. Marvin: Of inhabitants of Freedom, in the State of New York; Of inhabitants of Napoli, in the State of New York.

By Mr. Reed: Of inhabitants of Fair Haven, in the State of Massachusetts.

By Mr. Grennell: Of inhabitants of Enfield, in the State of Massachusetts.

By Mr. Tillinghast: Of inhabitants of Linn, in the State of Massachusetts;

Of inhabitants of Hopkinton, in the State of Rhode Island.

By Mr. John Quincy Adams: Of 183 females of Concord, in the State of Massachusetts;

Of 31 males and females of the State of Ohio.

Ordered, That the said memorials do lie on the table.

Mr. Allen, of Vermont, presented a petition of inhabitants of Johnson, in the State of Vermont, praying Congress to recognise the independence of the republic of Hayti; which petition was ordered to lie on the table.

Mr. Sibley presented a memorial of the Genesee yearly meeting of women, (Friends,) in the State of New York, praying that the inalienable right of liberty may be extended to their colored brethren at the South; which memorial was laid on the table, under the order of the House of the 12th of December last.

Mr. Corwin presented a memorial of citizens of Warren county, in the State of Ohio, praying for the abolition of slavery in the District of Co-

lumbia, for the abolition of the slave trade among the different States, and remonstrating against the admission of any new State into the Union whose constitution tolerates slavery.

Mr. Ingham presented a memorial of citizens of Middletown, in the State of Connecticut, praying that the resolutions of the House of the 12th of December last, requiring all matters relating to slavery to lie upon the table, may be rescinded.

Mr. Curtis presented a like memorial of citizens of New York.

Mr. Reed presented three memorials of inhabitants of Nantucket, in the State of Massachusetts, praying the abolition of slavery in the District of Columbia and the Territory of Florida, and for the recognition of the independence of the republic of Hayti, and remonstrating against the admission of Texas into the Union, and also against the admission of any new State into the Union whose constitution tolerates slavery.

These said memorials, as presented, were laid upon the table, under the order of the House of the 12th of December last.

Petitions praying for the abolition of slavery in the District of Columbia were presented as follows, to wit :

By Mr. Goode: From inhabitants of Montgomery county, in the State of Ohio.

By Mr. Allen, of Ohio: From inhabitants of the State of Ohio.

By Mr. Swearingen: Of women of the State of Ohio.

By Mr. Calvary Morris: Two petitions of inhabitants of Athens county, in the State of Ohio;

Of men and women of Meigs and Gallia counties, in the State of Ohio.

By Mr. Giddings: Of citizens of the State of Ohio;

Of citizens of Morgan county, in the State of Ohio;

Of women of Ashtabula county, in the State of Ohio;

Of legal voters, minors, and women, of Ashtabula county, in the State of Ohio;

Of citizens of Columbiana county, in the State of Ohio;

Of women of the State of Ohio.

By Mr. Rariden: Of men and women of Wayne county, in the State of Indiana.

By Mr. Dunn: Of males and females of the counties of Franklin and Decatur, in the State of Indiana;

Of men and women of the State of Indiana.

By Mr. Marvin: Of inhabitants of Freedom, in the State of New York;

Of inhabitants of Napoli, in the State of New York.

By Mr. Hastings: Of women of East Medway, in the State of Massachusetts.

By Mr. Parmenter: Two petitions of women of Boxboro', in the State of Massachusetts;

Of women of Sudbury, in the State of Massachusetts;

Of women of Waltham, in the State of Massachusetts.

By Mr. Grennell: Of citizens of Conway, in the State of Massachusetts;

Of women of Conway, in the State of Massachusetts;

Of women of Sunderland, in the State of Massachusetts;

Of citizens of Ashfield, in the State of Massachusetts;

Of women of Ashfield, in the State of Massachusetts;

Two petitions of inhabitants of Amherst, in the State of Massachusetts.

By Mr. Briggs : Of legal voters of Williamstown, in the State of Massachusetts.

By Mr. Reed : Of citizens of Chatham, in the State of Massachusetts;
Of citizens of Nantucket, in the State of Massachusetts;
Of legal voters of Provincetown, in the State of Massachusetts;
Of women of Provincetown, in the State of Massachusetts.

By Mr. Calhoun, of Massachusetts : Of women of Ludlow, in the State of Massachusetts;

Of women of Wilbraham, in the State of Massachusetts;
Of men and women of Brimfield, in the State of Massachusetts;
Of women of Chesterfield, in the State of Massachusetts;
Of citizens of Ludlow, in the State of Massachusetts;
Of citizens of Wilbraham, in the State of Massachusetts;
Of citizens of Northampton, in the State of Massachusetts;
Of women of Northampton, in the State of Massachusetts.

By Mr. Hastings : Of citizens of Holliston, in the State of Massachusetts;

Of women of Holliston, in the State of Massachusetts;
Of citizens of Franklin, in the State of Massachusetts.

By Mr. Lincoln : Of men and women of Warren, in the State of Massachusetts.

By Mr. Tillinghast : Of inhabitants of Hopkinton, in the State of Rhode Island.

By Mr. Evans : Of citizens of Strong, in the State of Maine;
Of citizens of Fayette, in the State of Maine.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December ultimo.

Petitions against the admission of Florida or any other new slave-holding State into the Union of these States, were presented as follows, to wit:

By Mr. Calhoun, of Massachusetts : Of citizens of Northampton, in the State of Massachusetts;

Of citizens of Wilbraham, in the State of Massachusetts;
Of women of Wilbraham, in the State of Massachusetts;
Of men and women of Brimfield, in the State of Massachusetts;
Of women of Ludlow, in the State of Massachusetts;
Of citizens of Ludlow, in the State of Massachusetts;
Of women of Chesterfield, in the State of Massachusetts;
Of women of Northampton, in the State of Massachusetts.

By Mr. Giddings : Of inhabitants of Ashtabula county, in the State of Ohio;

Of citizens of Ashtabula county, in the State of Ohio.

By Mr. Reed : Of citizens of Chatham, in the State of Massachusetts;
Of citizens of Nantucket, in the State of Massachusetts;
Of legal voters of Provincetown, in the State of Massachusetts;
Of women of Provincetown, in the State of Massachusetts;

By Mr. Lincoln : Of inhabitants of Warren, in the State of Massachusetts.

By Mr. Tillinghast : Of inhabitants of Washington county, in the State of Rhode Island.

By Mr. Hastings : Of women of Franklin, in the State of Massachusetts;

Of citizens of Holliston, in the State of Massachusetts.

By Mr. Parmenter: Of citizens of Buxboro', in the State of Massachusetts.

By Mr. Grennell: Of citizens of Ashfield, in the State of Massachusetts;

Of women of Ashfield, in the State of Massachusetts;

Of inhabitants of Amherst, in the State of Massachusetts;

Of women of Amherst, in the State of Massachusetts;

By Mr. Briggs: Of legal voters of Williamstown, in the State of Massachusetts.

By Mr. Marvin: Of inhabitants of Napoli, in the State of New York.

By Mr. Saltonstall: Of inhabitants of Danvers, in the State of Massachusetts.

By Mr. Hall: Of inhabitants of Shaftesbury, in the State of Vermont.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December ultimo.

Petitions praying for the abolition of the inter-State slave trade were presented as follows, to wit:

By Mr. Marvin: Of men and women of Freedom, in the State of New York;

Also, one from inhabitants of Napoli, in the State of New York.

By Mr. Giddings: Of women of Geneva, in the State of Ohio.

By Mr. Morris, of Ohio: Of men and women of the State of Ohio.

By Mr. Swearingen: Of citizens of Jefferson county, in the State of Ohio.

By Mr. Reed: Of women of Fairhaven, in the State of Massachusetts;

Of citizens of Nantucket, in the State of Massachusetts.

By Mr. Dunn: Of men and women of Franklin and Decatur counties, in the State of Indiana.

By Mr. Tillinghast: Of inhabitants of Hopkinton, in the State of Rhode Island.

By Mr. Evans: Of legal voters of Strong, in the State of Maine.

By Mr. Allen, of Ohio: Of inhabitants of Portage county, in the State of Ohio.

By Mr. Saltonstall: Of women of Lynn, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December ultimo.

Petitions praying for the abolition of slavery in the District of Columbia were presented as follows, to wit:

By Mr. John Quincy Adams: Of Samuel W. Field and 14 other students of Newton Theological Institution, in the State of Massachusetts;

Of William G. Davidson and 70 other citizens of West Millbury, in the State of Massachusetts;

Of W. Simmons and 97 other legal voters of Marshfield, in the State of Massachusetts;

Of Jedediah Morse and 109 other citizens of Windham county, in the State of Connecticut;

Of Samuel Ware and 42 other legal voters of South Deerfield, in the State of Massachusetts;

Of males and females of Ashtabula county, in the State of Ohio;

Of Abigail S. Garrett and 227 other women of Delaware county, in the State of Pennsylvania;

Of 173 men and women of the State of Ohio;

Of 80 women of West Millbury, in the State of Massachusetts ;
 Of John S. Reed and 48 others, of Wellington, in the State of Ohio.
 These petitions, as presented, were laid on the table, under the order of the House of the 12th of December ultimo.

Petitions against the admission of Florida or any other new State into the Union, whose constitution shall permit domestic slavery, were presented as follows, to wit :

By Mr. John Quincy Adams : Of Jacob Lend and 96 other legal voters of Weymouth, in the State of Massachusetts ;

Of William G. Davidson and 72 legal voters of West Millbury, in the State of Massachusetts ;

Of Almira Griggs and 79 other women of West Millbury, in the State of Massachusetts ;

Of Samuel W. Field and 13 other students of Newton Theological Institution, in the State of Massachusetts ;

Of men and women of Ashtabula county, in the State of Ohio ;

Of Francis Jackson and 262 other men and women of Boston and vicinity, in the State of Massachusetts ;

Of William Richards and 43 others, of South Deerfield, in the State of Massachusetts ;

Of Jedediah Morse and 116 others, of Windham county, in the State of Connecticut ;

Of J. W. Simmons and 97 other legal voters of Marshfield, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December ultimo.

Petitions praying for the abolition of slavery and the slave trade in the District of Columbia, and in those Territories of the United States where they exist, were presented as follows, to wit :

By Mr. John Quincy Adams : Of Evelina A. S. Smith and 134 other women of Hingham, in the State of Massachusetts ;

Of Jairus Lincoln and 47 others, of Hingham, in the State of Massachusetts ;

Of Cynthia D. Thorean and other women of Concord, in the State of Massachusetts ;

Of Charles Marriot and others, of Columbia county, in the State of New York ;

Of Lucy Pratt and 215 other women of South Weymouth, in the State of Massachusetts ;

Of Jedediah Morse and 110 other men and women of Windham county, in the State of Connecticut ;

Of Elizabeth Lewis and 167 other women of Marshfield, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December ultimo.

Petitions praying for the abolition of slavery in the District of Columbia and in the Territory of Florida, and of the slave trade among the States, were presented as follows, to wit :

By Mr. John Quincy Adams : Of men and women of Plainfield, in the State of Connecticut ;

Of Jane Barrel and 32 other women of Sheffield, in the State of Ohio ;

Of women of Avon, in the State of Ohio ;

Of D. Migener and 38 others, of Mifflinburg, in the State of Pennsylvania ;

Of women of Oberlin, in the State of Ohio.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December ultimo.

Petitions praying that no new slave State may be admitted into the Union, and that all propositions for the annexation of Texas to this Union may be rejected, were presented as follows, to wit :

By Mr. John Quincy Adams : Of women of Oberlin, in the State of Ohio ;

Of 37 inhabitants of Somerset, in the State of New York ;

Of women of Wellington, in the State of Ohio ;

Of inhabitants of Clinton county, in the State of New York ;

Of 43 inhabitants of Lockport, in the State of New York.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December ultimo.

Petitions praying for the abolition of slavery in the District of Columbia and in the Territory of Florida, and of the slave trade among the States, and that no new slave State may be admitted into the Union, and that all propositions for the annexation of Texas to this Union may be rejected, were presented as follows, to wit :

By Mr. Adams : Of legal voters of Hancock, Schuyler, and McDonough counties, in the State of Illinois ;

Of women of Round Prairie, in the State of Illinois.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December ultimo.

Petitions praying for the abolition of slavery in the District of Columbia and in the Territories of the United States, and the slave trade among the States, were presented as follows, to wit :

By Mr. John Quincy Adams : Of inhabitants of Somerset, in the State of New York ;

Of 45 men of Webster, in the State of Massachusetts ;

Of men and women of Somerset, in the State of New York ;

Of 43 inhabitants of Lockport, in the State of New York ;

Of men and women of Clinton county, in the State of New York ;

Of boys and girls of Campton, in the State of New York, for the abolition of slavery in the District of Columbia and in the Territories of the United States, and for the rejection of all proposals for the annexation of Texas to this Union.

These petitions, as presented, were laid on the table under the order of the House of the 12th of December ultimo.

Petitions praying for the abolition of the slave trade among the States, were presented as follows, to wit :

By Mr. John Quincy Adams : Of women of South Weymouth, in the State of Massachusetts ;

Of women of Delaware county, in the State of Pennsylvania ;

Of women of Marshfield, in the State of Massachusetts ;

Of women of Concord, in the State of Massachusetts ;

Of men and women of Windham, in the State of Connecticut ;

Of men and women of Plymouth, in the State of New Hampshire, for the abolition of slavery in the District of Columbia and of the Territo-

ries of the United States, and of the slave trade among the States, and the rejection of all proposals for the annexation of Texas to this Union ;

Two petitions, one from women of Colerain, in the State of Massachusetts, and one from women of Webster, in the State of Massachusetts, for the abolition of slavery in the District of Columbia, and the slave trade in the United States.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December ultimo.

Mr. John Quincy Adams presented petitions against the annexation of Texas to the Union of these States as follows :

Of men and women of Windham, in the State of Connecticut ;
Of women of South Weymouth, in the State of Massachusetts ;
Of men and women of Ashtabula county, in the State of Ohio ;
Of men and women of Ashtabula county in the State of Ohio.

Ordered, That said petitions do lie on the table.

Mr. Cushing presented a memorial of Peter Sanborn and others, of Reading, in the State of Massachusetts, praying the House to rescind the resolution of the 12th of December last; and moved that the said memorial, together with the resolves of the State of Massachusetts, on the right of petition and debate, presented to the House on the 28th of May last, and not finally acted on by the House, be referred to the Committee of the Whole House on the state of the Union, with instructions to consider the expediency of adopting the following resolutions, viz :

Resolved, That the several States composing the United States of America are not associated on the principle of unlimited submission to the Federal Government, or to the Houses of Congress, or either of them ; but that, by the constitution, the people of said States constituted one General Government for special purposes, and delegated to that Government certain definite powers only, reserving, each State to itself, the residuary mass of right to their own self-government ; that while the constitution and laws of the United States do attach to the whole people of the several States immediately in those matters within the true jurisdiction and confines of said constitution, and in the modes limited and defined thereby, yet, in all other matters, the States retain each its own political sovereignty ; that to this constitution each State acceded as a State, and is an integral party, and in its capacity of a sovereign State is represented in Congress by its Senators duly appointed ; that among the residuary rights so by each State reserved, is that of freely and fully expressing its opinions on all subjects of public concernment to the States or the people thereof, and of communicating the said opinions to Congress ; and that it is the constitutional duty of the Senate and of the House of Representatives respectfully to receive, entertain, and consider, and maturely and deliberately to decide upon, all such communications addressed to it by either of the States of this Union ; and the summary rejection of the same, without their being debated, printed, or referred, or any action whatever had thereon, is insulting to the honor and injurious to the rights and interests of the said sovereign States of the Union.

Resolved, That the Federal Government is a Government of limited and specific powers, derived from the people of the States thereby confederated and united, and to said Government by them granted under the constitution ; that all powers not delegated to the said United States by the constitution, nor prohibited by it to the States by the constitution, are reserved to the States respectively, or to the people ; that therefore no

right of any denomination can be cancelled, abridged, restrained, or modified by the Congress, by the Senate, or the House of Representatives, acting in any capacity, by the President or any Department or officer of the United States, except in the instances wherein power is given by the constitution for those purposes; and that, among other imprescriptible and essential rights, the freedom of conscience, of speech, and of the press, and the right of the people peaceably to assemble and to petition the Government for a redress of grievances, are of the original and innate immunities of the said people of the United States; rights of theirs not derived from or to be measured by the common or any other positive law of this or any other country, but inherent in the said people as a people, and under the constitutions of the several States by and to the said people guaranteed and consecrated forever; and which, by reason thereof, cannot be cancelled, abridged, restrained, or modified, constitutionally, by any authority of the United States whatsoever, nor in any form of law, whether the same be the act of the two Houses of Congress, or of either of them separately.

Resolved, That the people of the United States did ordain and establish the constitution thereof, in order, among other things, to secure the blessings of liberty to them and their posterity; that to this end the powers of legislation were vested in representative and deliberative assemblies, to wit: a Senate appointed by the States, and a House of Representatives chosen by the people of the States; that, in the exercise of their rights by the said House of Representatives and the members thereof, should be full scope and perfect equality, without interdiction of any subject of public concernment, and without inhibition of subject to members from one portion of the Union, or exclusive privilege of it to those from another portion; that all such attempts to smother and suppress the discussion of particular subjects, whilst illusory and fruitless in themselves, do, moreover, impeach the first principles of democratic liberty, which enjoin the establishment and propagation of political truth, without let or fear; that the freedom of speech, forbidden by the constitution to be abridged in whatever case, is more supremely entitled to immunity and respect in the person of the Representatives of the people in Congress, who for all orderly speech or debate in either House should be not questioned elsewhere, nor hindered there; that the House of Representatives may determine the rules of its proceeding, but that it cannot constitutionally, by a perpetual antecedent prohibition, preclude its members, or any one or more of them, from debate or motion as to a specific excepted class of subjects, provided the same be things within the purview of the constitution, and concerning which the people of the United States, or any part thereof, desired to be heard through their Representatives in Congress.

Resolved, therefore, That all that part of a certain resolution of the House of Representatives adopted on the 12th day of December last, which provides that "every petition, memorial, resolution, proposition, or paper," of a prescribed class, "shall, on the presentation thereof, without any further action thereon, be laid on the table, without being debated, printed, or referred," is a violation of the rights of the States, whose official communications to Congress of said class it excludes from due and proper consideration—a violation of the right of petition inherent in the people of the United States, which it cancels and abridges; and a violation of the privilege of speech and of debate rightfully appertaining to the members of this House, which it forecloses and abolishes; and therefore, that so

much of said resolution be, and the same is hereby, declared to be unconstitutional and merely void and of null effect.

Debate arising, the said memorial was laid on the table, to be taken up in the order of its presentation, according to the 51st rule of the House.

Mr. John Quincy Adams presented petitions praying Congress not to admit any new State into the Union whose constitution tolerates slavery, and to reject all applications and propositions for the annexation of Texas to the United States; also, that their petitions may be referred to a select committee, before whom the petitioners may be heard in person or by counsel, as follows, viz:

Of George C. Shepard and 23 others, of Stratford, in Connecticut.

Of Joseph French and 48 others, of Chesterville, in the county of Franklin, in the State of Maine.

Of Joseph L. Bennett and 121 others, males and females, of Plainfield, in Connecticut.

Of Ephraim Haughton and others, of Weld, in the State of Maine.

Of Smith Darling and 155 others, males and females, of Somerset, Niagara county, New York.

Of Sarah A. St. John and other women, of Avon, in the State of Ohio.

Of Lucretia Humaston and others, of Sheffield, in the county of Lorain, in the State of Ohio.

Of D. Little and others, of Castine, in the State of Maine.

Of James L. Brooks and others, of Wilton, in the State of Maine.

Of David Mizener and others, of Mifflinburg and West Buffalo, in Union county, in the State of Pennsylvania.

Mr. John Quincy Adams also presented petitions praying the abolition of slavery in the District of Columbia and in Florida, and to prohibit the slave trade between the States, and that their petitions be referred to a select committee, before whom the petitioners may be heard in person or by counsel, as follows, viz:

Of George C. Shepard and others, of Stratford, in the State of Connecticut.

Of James L. Brooks and others, of Wilton, in the State of Maine.

Of Huldah Adams and other women, of Willington, in the State of Ohio.

Of D. Little and others, of Castine, in the State of Maine.

Of Ephraim Fobes and others, of Weld, in the State of Maine.

Of Daniel Sewall and others, of Chesterville, in the State of Maine.

A motion was made by Mr. Adams, that the said petitions be referred to a select committee, and that so much of the prayer thereof as prays that the petitioners be heard before said committee in person or by counsel be granted.

The Speaker decided that the petitions came within the order of the House of the 12th of December last, and that they would be laid on the table without a question; and they were laid on the table, accordingly.

Mr. John Quincy Adams presented a petition of William Lloyd Garrison and 140 other inhabitants of Boston, in the State of Massachusetts, praying Congress to remove the seat of Government for the United States to some point north of its present location.

A motion was made by Mr. Adams, that the said petition be referred to a select committee, with instructions to inquire and report to the House their opinion on the constitutional powers of Congress to remove the seat of Government, and to recede the territory of the District of Columbia to the respective States of Virginia and Maryland.

Mr. John Quincy Adams offered to present a petition, and made a "statement of the contents thereof."

Objection was made by Mr. Dromgoole to receiving the same, on the ground that the same was not respectful to the House.

And on the question, Shall the petition be received ?

It passed in the negative, { Yeas, 25,
 { Nays, 115.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
Richard Biddle
William B. Calhoun
Charles D. Coffin
Robert B. Cranston
Edward Curtis
Caleb Cushing
Edward Darlington
Edward Davies

Mr. Richard Fletcher
Millard Fillmore
Joshua R. Giddings
William Graham
George Grennell, jr.
William Halsted
James M. Mason
Thomas M. T. McKennan

Mr. Charles Ogile
David Potts, jr.
James Rariden
Joseph Ridgway
Mark H. Sibley
William Slade
Francis O. J. Smith
Jared W. Williams

Those who voted in the negative are—

Mr. John W. Allen
Hugh J. Anderson
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
John C. Brodhead
Isaac H. Bronson
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
Zadok Casey
John Chaney
Reuben Chapman
Richard Cheatham
Walter Coles
Henry W. Connor
Thomas Corwin
Robert Craig
John W. Crockett
Samuel Cushman
William C. Dawson
Edmund Deberry
George C. Dromgoole
George H. Dunn
Franklin H. Elmore
Horace Everett
John Ewing
James Farrington
Jacob Fry, jr.
James Garland
Rice Garland
Patrick G. Goode
Abraham P. Grant
Robert H. Hammond
Albert G. Harrison
Richard Hawes

Mr. Micajah T. Hawkins
Charles E. Haynes
William Herod
Orrin Holt
George W. Hopkins
Edward B. Hubley
William H. Hunter
Robert M. T. Hupster
Samuel Ingham
Jabez Jackson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Francis S. Lyon
Richard P. Marvin
Joshua L. Martin
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Charles P. Mercer
John Miller
Charles F. Mitchell
William Montgomery
Ely Moore
Calvary Morris
John L. Murray
William H. Noble
George W. Owens
Virgil D. Parris
Lemuel Paynter
Luther C. Peck
David Petrikin
Lancilot Phelps
Francis W. Pickens

Mr. Arnold Plumer
John Pope
William W. Potter
Zadock Pratt
Luther Raily
Abraham Rencher
Francis E. Rives
John Robertson
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard
Ebeneser J. Shields
Matthias Shepler
Adam W. Snyder
James B. Spencer
Edward Stanly
Archibald Stuart
William Stone
Henry Swearingen
John Taliaferro
William Taylor
Francis Thomas
Waddy Thompson, jr.
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Joseph R. Underwood
Henry Vail
Abraham Vanderveer
Joseph Weeks
John White
Thomas T. Whittlesey
Lewis Williams
Christopher H. Williams
Thomas J. Word
Archibald Yell
Thomas Jones Yorks

And so the petition was not received.

Mr. Adams moved that the petition refused to be received be entered on the Journal.

The Speaker decided that the petition not being in the possession of the House, the motion was not in order.

Mr. John Quincy Adams presented petitions, praying the House to rescind the resolutions moved by Mr. Atherton, and adopted by the House on the 12th of December ultimo, upon the subject of slavery and the slave trade, and petitions and other papers in relation thereto, as follows, viz :

Of P. Field and other citizens of the United States, principally of the city of New York ;

Of Henry A. Marshall and 149 other citizens of Boston, in the State of Massachusetts ;

Of Samuel D. Porter and 157 others of the city of Rochester, in the State of New York ;

Of C. W. Goodwin and other citizens, male and female, of the county of Cayuga, in the State of New York ;

Of Maria W. Chapman and 91 other women of Boston, in the State of Massachusetts.

A motion was made by Mr. Adams, that the said petitions be referred to a select committee, with instructions to report a resolution rescinding the resolution of the 12th of December last, as prayed for in said petitions.

On motion of Mr Dromgoole, the said petitions were ordered to lie on the table.

Mr. John Quincy Adams presented petitions praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti, as follows, viz :

Of D. Little and other inhabitants of Castine, in the State of Maine ;

Of James L. Brooks and 48 other inhabitants of Wilton, in the State of Maine ;

Of Ephraim Fobes and 100 others, men and women, of Weld, in the State of Maine ;

Of Joseph L. Bennett and others, men and women, of Plainfield, in Connecticut.

A motion was made by Mr. Adams, that the said petitions be referred to the Committee on Foreign Affairs, with instructions to consider and report thereon.

A division of the question was called for by Mr. Dromgoole ;

And on the question, Shall the petitions be referred to the Committee on Foreign Affairs ?

It passed in the affirmative.

The question was then put on the residue of said motion, viz: the instructions moved by Mr. Adams—

And passed in the negative.

Mr. John Quincy Adams presented a petition and memorial of the members of the New York Peace Society, and others, citizens of Chester-ville, in Maine, praying Congress to act as mediator between France and Mexico ; to act as mediator, in general, in the various cases of dispute between nations ; to adopt the principle of arbitration as a permanent one in cases of dispute between the United States and other countries ; and to propose to the various governments of the world to appoint delegates, to assemble in congress or convention with delegates from the United States, for the purpose of preparing a code of international law, obligatory on such nations as may subsequently adopt it, and of acting

as a board of arbitrators, or a court of equity and honor, in cases of dispute that may from time to time be submitted to their consideration.

A motion was made by Mr. Adams, that the said petition and memorial be referred to the Committee on Foreign Affairs, with instructions that the committee answer the argument therein contained.

A division of the question on this motion was called for by Mr. Dromgoole.

And on the question, Shall the petition and memorial be referred to the Committee on Foreign Affairs?

It passed in the affirmative.

The question was then put on the residue of said motion, viz: the instructions moved by Mr. Adams—

And passed in the negative.

Mr. John Quincy Adams presented a memorial of Jehu Lawrie and 12 inhabitants of New Jersey, praying the appointment of a committee to inquire and report whether any, and, if any, what measures within the constitutional powers of Congress are necessary *for the perfect establishment of justice, the ensurance of domestic tranquillity, and the security of the blessings of liberty to the people of the United States and their posterity.*

A motion was made by Mr. Adams that the said memorial be referred to a select committee, with instructions to report thereon.

On motion of Mr. Dromgoole, the said memorial was ordered to lie on the table.

Mr. John Quincy Adams presented a petition of Nathaniel Hubbard and other citizens, male and female, of Tamworth, in the State of New Hampshire, praying that slavery and the slave trade may be abolished in the District of Columbia and in Florida; to abolish the slave trade between the States; to reject all propositions for the annexation of Texas to the United States; to rescind the resolution of the 12th of December last, upon the subject of slavery and the slave trade; and to acknowledge the independence of Hayti.

So much of said petition as relates to slavery and the slave trade was laid on the table, under the order of the 12th of December.

Mr. Adams moved that so much of said petition as prays the acknowledgment of the independence of Hayti be referred to the Committee on Foreign Affairs, with instructions to report a resolution to acknowledge the independence of Hayti.

Mr. Dromgoole called for a division of the question.

Whereupon the question was put, Shall the memorial be referred to the Committee on Foreign Affairs?

And was decided in the negative.

Whereupon the second branch of the motion, to wit, the instructions, fell.

Mr. Adams then moved that so much of said petition as prays the acknowledgment of the independence of Hayti be referred to a select committee, with instructions to report a resolution to acknowledge the independence of Hayti.

A motion was made by Mr. Dromgoole that this part of the petition do lie on the table;

And the question being put,

It was decided in the affirmative.

Mr. Adams then moved that so much of the petition as prays that the resolution of the 12th of December last be rescinded, be referred to a select committee, with instructions to report a resolution rescinding the said resolution of the 12th of December.

On motion of Mr. Dromgoole, this part of the petition was ordered to lie on the table.

Mr. John Quincy Adams presented a petition of students of theology of the Associate Presbyterian church at Canonsburg, in Washington county, Pennsylvania, praying the abolition of slavery and the slave trade in the District of Columbia and other places under the immediate control of Congress; which was laid on the table, under the order of the 12th of December.

And, at four and a quarter o'clock, the House adjourned until tomorrow, twelve o'clock meridian.

TUESDAY, JANUARY 8, 1839.

By consent, Mr. Hunter, of Virginia, submitted the following resolutions; which were read, ordered to be printed, and the consideration thereof postponed, viz:

Resolved, That a select committee be appointed to inquire into the expediency of reporting a bill which shall provide—

1st. That all money hereafter to be received by the United States for customs, shall be paid on four certain days, fixed at intervals of three months. The duties required by existing laws to be paid in cash, to be secured by bonds with approved sureties, bearing interest at the rate of six per centum per annum from its date until paid, and payable at the next fixed quarterly day, unless it bears date within twenty days of that period, in which case it is to be payable on the next succeeding day fixed for payments to the United States. But if the importer be entitled to credit under the existing laws, the sum due is to be diminished by a discount at the rate of six per centum for the time through which the said credit extends, and the sum thus ascertained to be secured by bond, as aforesaid, under the limitations above prescribed.

2d. That all debts due from the United States shall be made payable, so far as practicable, on four certain days occurring at intervals of three months, and fixed at twenty days respectively after the days fixed as aforesaid for payments to the United States. These debts, in all cases where practicable, to be made payable at the next day of disbursement, unless incurred within twenty days of that time; in which case, to be payable at the second succeeding day fixed for that purpose. But if the public creditor should fail to present his claim at the place at which it is payable when due, or within — days of that time, then the United States to be absolved from all responsibility for any failure in the disbursing agent at that place to pay the said creditor: *Provided, however*, That the said agent and his sureties shall be liable in their individual capacities to pay to the said creditor any sums received for his use upon demand and without interest.

3d. That all requisitions on the Treasury Department, by other Departments of this Government, for sums to be disbursed at the next day fixed for that purpose, shall be made at least twenty days before the day fixed for public receipts, and next succeeding that of the requisition.

4th. That the Secretary of the Treasury, after a comparison of the liabilities to and from the Government, at the next succeeding days of receipt and disbursement, shall ascertain the probable surplus which will be due to the United States upon the next quarterly day of receipt, after collecting what will be sufficient to discharge the debts due from the Government at the next disbursing day, together with whatever sum may be needful as a cash surplus for emergencies of the Department not otherwise provided for. The debtors of the United States to be entitled to an extended credit upon the surplus thus ascertained, upon their giving bonds with approved sureties, bearing interest, as aforesaid, up to the quarterly day of receipts next succeeding that at which the original bond was due. Each public debtor offering security, as aforesaid, to be entitled to this further credit upon an equal proportion of his debt, which proportion is to be specified by public advertisement of the Secretary of the Treasury, at least twenty days before the next succeeding day of receipts. But all bonds given for the surplus, as aforesaid, to be wholly collected at the next quarter when due, before any portion is demanded of those bonds given when the debt for duties was incurred.

Mr. Cambreleng, from the Committee of Ways and Means, reported a bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839, accompanied by sundry explanatory statements and estimates ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, reported a bill (No. 982) to amend "An act to authorize the issuing of Treasury notes to meet the current expenses of the Government," approved May 21, 1838 ; which bill was read the first and second time, and the further consideration thereof was postponed until to-morrow.

Mr. Cambreleng submitted to the House a communication from the Secretary of State to the Committee of Ways and Means, relative to extra services of the district attorney of the northern district of New York ; which communication was referred to the Committee on the Judiciary.

Mr. Haynes, from the Committee of Ways and Means, reported a bill (No. 983) to provide for the support of the Military Academy of the United States, for the year 1839 ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Haynes, from the Committee of Ways and Means,

Resolved, That the Committee of Ways and Means be discharged from the further consideration of the estimate for the new barracks for the cadets, and barracks for a company of dragoons and stables for their horses, at West Point ; and that it be referred to the Committee on Military Affairs.

Mr. Pope, from the Committee of Ways and Means, reported a bill (No. 984) making appropriations for the continuation of the Cumberland road in Ohio, Indiana, and Illinois ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Stuart, from the Committee of Claims, made an unfavorable report

on the case of the heirs of John Broome ; which report was ordered to lie on the table.

Mr. Stuart, from the Committee of Claims, made an unfavorable report on the case of Eliza Mackay ; which report was ordered to lie on the table.

Mr. Giddings, from the Committee of Claims, reported the following resolution ; which was read and agreed to, viz :

Resolved, That the Committee of Claims be discharged from the further consideration of the memorial of Ann Temple Green ; and that so much of said memorial as relates to the services of Captain Nicholson prior to the adoption of our present constitution, be referred to the Committee on Revolutionary Claims ; and so much of said memorial as relates to the services of Captain Nicholson since the adoption of the present constitution, be referred to the Fourth Auditor of the Treasury.

Mr. Casey, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 39) entitled "An act to create an additional land office in the State of Michigan, and for other purposes," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Loomis, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 38) entitled "An act granting to the county of Kalamazoo, in the State of Michigan, the right of pre-emption to a quarter section of land, and for other purposes," reported the same without amendment.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

Mr. Loomis, from the Committee on the Public Lands, made unfavorable reports on the cases of Maurice Wright and Catharine Dodge ; which reports were ordered to lie on the table.

Mr. Lincoln, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 5) entitled "An act for the relief of the heirs of John Braham, late receiver of public moneys at Huntsville, in Alabama," reported the same with amendments.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

On motion of Mr. Word,

Ordered, That the Committee on the Public Lands be discharged from the further consideration of the case of R. C. Allen, and that it lie on the table.

Mr. Murray, from the Committee on the Public Lands, made unfavorable reports on the cases of Thomas C. Copes and John T. Austin ; which reports were ordered to lie on the table.

On motion of Mr. Murray,

Ordered, That the Committee on the Public Lands be discharged from the consideration of the case of James Butler and others, and that it lie on the table.

Mr. Craig, from the Committee on Revolutionary Claims, reported a bill (No 985) for the relief of Lieutenant John McDowell ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Underwood, from the Committee on Revolutionary Claims, report-

ed a bill (No. 986) for the relief of the children of Apollos Cooper, deceased; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Everett, from the Committee on Indian Affairs, made an unfavorable report on the case of George G. Allen; which report was ordered to lie on the table.

Mr. McKay, from the Committee on Military Affairs, reported a bill (No. 987) making an appropriation for the payment of a company of volunteers mustered into the service of the United States by Captain Drane, and which acted as a guard to a party of emigrating Cherokees; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Ingham, from the Committee on Naval Affairs, reported the following resolution:

Resolved, That Thursday, the 10th instant, from and after one o'clock, be specially assigned for the consideration, in preference to any other business, of House bills—

No. 703. For extending and improving the navy yard at Brooklyn, and for constructing a dry dock at the same;

No. 573. To regulate the pay and emoluments of pursers;

No. 572. To alter and regulate the navy ration;

No. 670. To authorize the purchase of two vessels, to be employed as receiving-vessels in the naval service;

No. 571. For reducing under one head of appropriation various appropriations for building, rebuilding, replacing, purchasing, and repairing vessels of war, and for providing materials for the same;

No. 525. For the payment of certain pensions heretofore paid out of the privateer pension fund:

And if all said bills shall not be finally disposed of on said day, then, and in that case, the next succeeding day, from the hour aforesaid, shall be, in like manner, assigned for the further consideration of the same.

A motion was made by Mr. Petrikin to amend said resolution, by striking out bill No. 703; which motion was disagreed to.

On motion of Mr. Wise, the resolution was amended, by inserting therein bill No. 652, for the augmentation of the marine corps.

A motion was made by Mr. Russell, to amend the resolution, by striking out the words, "and if all said bills shall not be finally disposed of on said day, then, and in that case, the next succeeding day, from the hour aforesaid, shall be, in like manner, assigned for the further consideration of the same." This motion was disagreed to.

A motion was made by Mr. Toland to amend the resolution, by inserting therein bill No. 777, for building a dry dock at Philadelphia; which motion was disagreed to.

A motion was made by Mr. Smith to amend the resolution, by inserting therein bill No. 403, for the erection of hospitals on the Western waters; which motion was disagreed to.

And the question was put that the House do agree to the resolution as amended.

And passed in the affirmative—two-thirds voting therefor.

Mr. Elmore, by leave, submitted the following resolutions; which were read, and laid on the table one day, under the rule, viz:

Resolved, That the Secretary of the Treasury report to this House state-

ments of the value of the exports and imports of each State and Territory for the years 1837 and 1838, showing what amount of the exports was of foreign, and what of domestic growth or manufacture; the amount of duties accruing each year on such imports; and the amount actually collected; what amount was duty free, and what amount was chargeable with duty; and, also, what amount of drawback was paid in each State.

Resolved, That the Secretary of the Treasury report further to this House what articles, under the present tariff, are duty free, and what are chargeable with duties; also, what is the specific or ad valorem duty paid on each article now, and what will be the amount of duty under each reduction provided for by law.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed bills of the following titles, viz :

No. 29. An act for the relief of sundry citizens of Arkansas, who lost their improvements in consequence of a treaty between the United States and the Choctaw Indians ;

No. 35. An act making an appropriation for the support of the penitentiary in the District of Columbia ;

No. 177. An act to renew the patent of Thomas Blanchard ;
in which bills I am directed to ask the concurrence of this House. And then he withdrew.

The House resolved itself into the Committee of the Whole House on the state of the Union ; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 975) to provide for carrying into effect the convention between the United States of America and the republic of Texas, for marking the boundary between them ; which bill he was directed to report to the House without amendment.

Ordered, That the said bill be engrossed, and read a third time to-day.

The said bill being engrossed, was read the third time.

And, on the question, Shall it pass?

It passed in the affirmative.

The House resumed the consideration of the message of the President of the 8th of December last, communicated to the House on the 10th, in relation to the recently-discovered default of Samuel Swartwout, late collector of the customs at the port of New York.

The question recurred on the motion made by Mr. Wise on the 19th of December, that the said message be referred to the Committee of the Whole House on the state of the Union ; when

Mr. Wise withdrew that motion,

And the question recurred on the motion made by Mr. Cambreleng, as modified on the 19th of December, viz : that the said message, except so much thereof as relates to a modification of the revenue laws, be referred to a select committee ; when

A motion was made by Mr. Garland, of Virginia, to amend the said motion, by adding thereto as follows : " of nine members, to be appointed by ballot, whose duty it shall be to inquire into the causes and extent of the late defalcation of the custom-house at New York and other places ; the length of time they have existed ; the correctness of the returns which have been made by the collector, and naval and other officers, and the deposite banks, respectively, and all such facts connected with said defalcations as may be deemed material to develop their true character.

"And be it further resolved, That said committee be required to inquire into, and make report of, any defalcations among the collectors, receivers, and disbursers of the public money, which may now exist; who are the defaulters, the amount of defalcations, the length of time they have existed, and the causes which led to them; and that said committee have power to send for persons and papers."

Mr. Cambreling accepted this amendment as a modification of his motion, except the words "*by ballot*," where they occur after the word *appointed*, and modified the same accordingly.

A motion was then made by Mr. Garland, of Virginia, to amend the said motion as modified by inserting therein, after the words "to be appointed," the words "*by ballot*."

And, after debate,

The House, at four o'clock and twenty minutes, adjourned until twelve o'clock to-morrow.

WEDNESDAY, JANUARY 9, 1839.

Mr. Morgan, from the Committee on Revolutionary Pensions, reported two bills, to wit:

No. 988. A bill for the relief of John Lybrook;

No. 989. A bill for the relief of Matthew Wiley;

accompanied by a report in the case of Matthew Wiley; which bills were read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Joseph Johnson, from the Committee on Revolutionary Pensions, made a report in the case of Frances Jones, widow of John Jones, accompanied by a bill (No. 990) for her relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Sibley, from the Committee on Revolutionary Pensions, made a report upon the petition of Susannah Hoagland, widow of John Hoagland, accompanied by a bill (No. 991) for her relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Childs, from the Committee on Revolutionary Pensions, made a report upon the case of William A. Cuddeback, accompanied by a bill (No. 992) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Childs,

Ordered, That the Committee on Revolutionary Pensions be discharged from the consideration of the petition of Allen Wardwell, and that the said petition be committed to a Committee of the Whole House to-morrow.

Mr. Fry, from the Committee on Revolutionary Pensions, reported several bills, to wit:

No. 993. A bill granting a pension to Helen Miller;

No. 994. A bill granting a pension to William Andrews;

No. 995. A bill granting a pension to Thurston Cornell;

No. 996. A bill granting a pension to Stephen Olney;

which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Fry,

Ordered, That the Committee on Revolutionary Pensions be discharged

from the consideration of the petitions of the heirs of Frederick Wilheid, David Corson, and Mary Page, and that the said petitions do lie on the table.

On motion of Mr. Fry,

Ordered, That the Committee on Revolutionary Pensions be discharged from the consideration of the petition of Martha Green, widow of Asa Green, and that it be referred to the Committee on Invalid Pensions.

On motion of Mr. Stanly,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the petitions of Captain James Duncan and Hugh McDonald, and that the said petitions do lie on the table.

Mr. Mitchell, from the Committee on Invalid Pensions, made unfavorable reports in the cases of William White, Stephen Morrell, Richard Reynolds, Isaac W. Taylor, and Rufus Parker; which reports were ordered to lie on the table.

On motion of Mr. Mitchell,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the petition of Jacob Kendrick, James Simmons, David McNair, and others, and of the petitions of James Allen and James McLaughlin, and that the said petitions be laid upon the table.

Mr. Taylor, from the Committee on Invalid Pensions, reported sundry bills, to wit :

No. 997. A bill granting a pension to Harvey Reynolds ;

No. 998. A bill for the relief of Doctor Sylvanus Nash ;

No. 999. A bill granting a pension to Stephen Appleby ; accompanied by reports in the said cases ; which bills were committed to a Committee of the Whole House to-morrow.

Mr. McClellan, of New York, from the Committee on Invalid Pensions, made an unfavorable report upon the petition of James Singleton ; which report was ordered to lie upon the table.

Mr. McClellan, of New York, from the Committee on Invalid Pensions, reported sundry bills, to wit :

No. 1000. A bill for the relief of David Rollins ;

No. 1001. A bill for the relief of William Sloan ;

No. 1002. A bill for the relief of John Clark ;

No. 1003. A bill for the relief of Gilbert Sprague Fish ; accompanied by reports in the said cases ; which bills were committed to a Committee of the Whole House to-morrow.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker: The Senate have passed the bill of this House (No. 975) entitled "An act to provide for carrying into effect the convention between the United States of America and the republic of Texas, for marking a boundary between them." And the Senate have also passed a bill (No. 80) entitled "An act further to regulate the transportation of the mail upon railroads ;" in which I am directed to ask the concurrence of this House. And then he withdrew.

Mr. Stanly, from the Committee on Invalid Pensions, reported two bills, viz :

No. 1004. A bill for the relief of Weight Hurlbert ;

No. 1005. A bill for the benefit of Eliphalet Spafford ; which bills were read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Herod, from the Committee on Invalid Pensions, reported two bills, viz :

No. 1006. A bill granting arrears of pension to Ann Ross, widow of Lieutenant Andrew Ross ;

No. 1007. A bill granting arrears of pension to Josiah Westlake ; which bills were read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Mercer,

Ordered, That the Committee on Roads and Canals be discharged from the further consideration of the petition of citizens of Appalachicola, in Florida, in relation to the importation of iron for the construction of iron steamboats, and that the said petition be referred to the Committee on Manufactures.

On motion of Mr. John Quincy Adams, from the Select Committee appointed on two messages of the President of the United States, in relation to the Smithsonian bequest, it was

Ordered, That the memorial of Charles Lewis Fleischmann be printed, and that the drawings accompanying the same be lithographed.

Mr. Darlington, from the Committee of Claims, made an unfavorable report on the case of William Stout ; which report was ordered to lie on the table.

Mr. Gray, from the Committee of Claims, made an unfavorable report on the case of John McKinnie ; which report was ordered to lie on the table.

Mr. Giddings, from the Committee of Claims, made an unfavorable report on the case of Maria L. Kershaw ; which report was read, and laid on the table.

Mr. Stuart, from the Committee of Claims, made an unfavorable report on the case of William W. Scott ; which report was read, and laid on the table.

Mr. Saltonstall, from the Committee of Claims, made a report on the case of Henry Grady, accompanied by a bill (No. 1008) for his relief ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Saltonstall, from the Committee of Claims, made a report on the case of the representatives of John Addoms, deceased, accompanied by a bill (No. 1009) for the relief of the said representatives ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Cushman, from the Committee on Commerce, reported a bill (No. 1010) to authorize the cancelling of certain debenture bonds on the exportation of coal ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Cushman, from the Committee on Commerce, The Committee of the Whole House on the state of the Union, to which is committed bill No. 341, to extend the privileges of drawback, and to abolish distinctions in ports of entry, was discharged from the further consideration thereof, and the said bill was postponed until to-morrow.

Mr. Harlan, from the Committee on Private Land Claims, made a report on the case of Nicholas Phelan, heir at law of John Phelan, deceased, accompanied by a bill (No. 1011) for his relief ; which bill was read the

first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Harlan, from the Committee on Private Land Claims, it was

Resolved, That the papers in the case of the heirs of Carlos de Villemont, who claim a tract of land at Point Chicot, be referred to the Committee on Private Land Claims, with instructions to inquire into the expediency of confirming the same.

Mr. Garland, of Louisiana, from the Committee on Private Land Claims, made a report on the case of T. F. Peterson; which report was ordered to lie on the table.

The Speaker laid before the House sundry communications, viz :

I. A letter from the Solicitor of the Treasury, transmitting his report on the case of Gamaliel E. Smith, referred to him on the 7th of July, 1838; which report was referred to the Committee of Ways and Means.

II. A letter from the Secretary of War, transmitting a report of the Chief Engineer in relation to Fort Livingston, called for by the House on the 31st December, 1838; which letter and report were ordered to lie on the table.

III. A letter from the Secretary of the Treasury, transmitting lists of the names of persons employed as clerks in the several offices of the Treasury Department during the year 1838, with the compensation of each; which letter and statements were laid on the table.

IV. A letter from the Secretary of the Treasury, transmitting information called for by the House on the 31st of December ultimo, of the amounts due from the late deposite banks at the time of suspension of specie payments, with the sums now due, and how secured; which letter was laid on the table.

V. A report from the Secretary of the Treasury, containing information called for by the House on the 31st of December ultimo, in relation to the defalcation of Samuel Swartwout, late collector of New York; which report was ordered to lie on the table.

On motion of Mr. Charles Shepard,

Ordered, That the report of the Secretary of War on the case of E. S. Bell, be referred to the Committee of Claims.

A motion was made by Mr. Pope, that the rules in relation to the order of business be suspended, to enable him to make a motion that the bill (No. 369) to extend the provisions of "An act supplementary to the 'act for the relief of certain surviving officers and soldiers of the Revolution,' approved the 7th June, 1832," be made the special order of the day for Tuesday the 15th instant;

And the question being put,

It passed in the negative, { Yeas, 63,
Nays, 129.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
John Bell
Ratliff Boon
Nathaniel B. Borden
Andrew Buchanan
William B. Campbell

Mr. William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
John C. Clark
Charles D. Coffin
Thomas Cerwin

Mr. Robert Craig
John W. Crockett
Edward Curtis
Edward Darlington
George H. Dunn
Hornoe Everett
John Ewing

Mr. Joshua R. Giddings
Patrick G. Goede
William Graham
James Harlan
Albert G. Harrison
Alexander Harper
Richard Hawes
Thomas Henry
William Herod
William H. Hunter
Daniel Jenifer
Henry Johnson
Joseph Johnson
John P. Kennedy

Mr. John Klingensmith, jr.
Daniel P. Leadbetter
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
William S. Morgan
Calvary Morris
Charles Ogle
John Pope
James Rariden
Joseph F. Randolph
Joseph Ridgway
Edward Rumsey

Mr. Ebenezer J. Shields
Mark H. Sibley
Francis O. J. Smith
Adam W. Snyder
William W. Southgate
Joseph R. Underwood
Albert S. White
John White
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Thomas J. Word
Archibald Yell
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Bennet Bicknell
Samuel Birdall
George N. Briggs
Isaac H. Bronson
Jesse A. Bynum
William B. Calhoun
C. C. Cambreleng
John Campbell
John Chaney
Reuben Chapman
Timothy Childs
William K. Clowney
Walter Coles
Henry W. Connor
George W. Crabb
Isaac E. Crary
Robert B. Cranston
Samuel Cushman
William C. Dawson
Thomas Davee
Edward Davies
Edmund Deberry
John I. De Graff
George C. Dromgoole
Alexander Duncan
John Edwards
Franklin H. Elmore
George Evans
Isaac Fletcher
Millard Fillmore
Jacob Fry, jr.
Albert Gallup
James Garland
Rice Garland
James Graham
Seaton Grantland

Mr. George Grennell, jr.
John K. Griffin
Elisha Haley
Hiland Hall
William Halsted
Thomas L. Hamer
Micajah T. Hawkins
Charles E. Haynes
Ogden Hoffman
Hopkins Holsey
Orrin Holt
Benjamin C. Howard
Edward B. Hubley
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
Hugh S. Legare
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
Richard P. Marvin
James M. Mason
Joshua L. Martin
Abram P. Maury
William L. May
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
Charles F. Mitchell
William Montgomery
Ely Moore
Matthias Morris
Charles Naylor
William H. Noble
George W. Owens

Mr. John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
James A. Pearce
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
David Potts, jr.
William W. Potter
Zadock Pratt
John H. Prentiss
Harvey Putnam
R. Barnwell Rhett
Francis E. Rives
John Robertson
Edward Robinson
David Russell
Leverett Saltonstall
Samuel T. Sawyer
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard
Matthias Sheplor
William Slade
Edward Stanly
Archibald Stuart
William Stone
Henry Swearingen
William Taylor
Francis Thomas
George W. Toland
Isaac Toucey
Henry Vail
Abraham Vanderveer
Taylor Webster
Joseph Weeks
Thomas T. Whittlesey
Lewis Williams
Jared W. Williams
John T. H. Worthington.

The House resumed the consideration of the message from the President of the United States of the 8th of December, communicated on the 10th, in relation to the recently-discovered default of Samuel Swartwout, late collector of the customs at the port of New York.

The question recurred on the amendment moved by Mr. Garland, of

Virginia, yesterday, to the motion made by Mr. Cambreleng, by inserting therein the words "by ballot."

A motion was made by Mr. Thomas to amend the amendment proposed by Mr. Garland, of Virginia, by striking out the word "ballot," and inserting the words "*viva voce*."

And, after debate,

The House, at a quarter before five o'clock, adjourned until to-morrow, twelve o'clock meridian.

THURSDAY, JANUARY 10, 1839.

Another member, viz: from the State of South Carolina, John P. Richardson, appeared, and took his seat.

On motion of Mr. Lyon,

Ordered, That the papers on file in relation to the claim of the heirs of Miguel Eslava be referred to the Committee on Private Land Claims.

Mr. Lyon presented additional documents in support of the petition of the heirs of Miguel Eslava; which documents were also referred to the Committee on Private Land Claims.

Mr. Hubley, from the Committee on the Post Office and Post Roads, reported a bill (No. 1012) for the relief of Peters, Moore, & Co., and others; which bill was read the first and second time, and the further consideration thereof was postponed until Monday next, the 12th instant.

Mr. Rice Garland, from the Committee on Private Land Claims, made a report on the case of Rosaline Prudhomme, accompanied by a bill (No. 1013) for her relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Rice Garland, from the Committee on Private Land Claims, made unfavorable reports on the cases of Henry M. Fleury and A. L. Debleux; which reports were ordered to lie on the table.

On motion of Mr. Howard,

Ordered, That the Committee on Foreign Affairs be discharged from the consideration of the petition of John Cowper, on behalf of himself and others interested in the claim of the heirs of Richard W. Meade.

On motion of Mr. Howard,

Ordered, That the Committee on Foreign Affairs be discharged from the consideration of the petition of inhabitants of Cavendish, in Vermont, against the annexation of Texas to the United States, (presented on the 20th December ultimo,) and that it lie on the table.

Mr. Morgan, from the Committee on Revolutionary Pensions, reported a bill (No. 1014) for the relief of Dennis Tramell; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Sibley, from the Committee on Revolutionary Pensions, made a report on the case of David Mellen, accompanied by a bill (No. 1015) granting him a pension; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Plumer, from the Committee on Invalid Pensions, made a report on the case of Levi M. Roberts, accompanied by a bill (No. 1016) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Plumer, from the Committee on Invalid Pensions, reported a bill

(No. 1017) for the relief of Benjamin F. Wesley; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined an enrolled bill (No. 975) entitled "An act to provide for carrying into effect the convention between the United States of America and the republic of Texas, for marking the boundary between them," and found the same to be truly enrolled; when

The Speaker signed the said bill.

A message, in writing, was received from the President of the United States by Mr. Martin Van Buren, jr., his private secretary; which was delivered in at the Speaker's table.

The House resumed the consideration of the resolutions moved by Mr. Wise on the 28th December ultimo, for the printing of an extra number of certain documents therein described.

The question recurred on the motion of Mr. Loomis, pending on that day, to amend the said resolution, by striking out all that part thereof which relates to document No. 297 of the second session of the twenty-fifth Congress, relating to public defaulters.

A motion was made by Mr. Graves that there be a call of the House; And the question being put,

It passed in the negative, { Yeas, 88,
 Nays, 95.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
John Bell
Richard Biddle
Nathaniel B. Borden
George N. Briggs
William B. Carter
John Chambers
Richard Cheatham
John C. Clark
Charles D. Coffin
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Caleb Cushing
Edward Darlington
Edward Davies
Edmund Deberry
George C. Dromgoole
John Edwards
John Ewing
James Farrington
Richard Fletcher
Millard Fillmore
James Garland
Rice Garland
Patrick G. Goode
James Graham

Mr. William Graham
Seaton Grantland
William J. Graves
William Halsted
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Ogden Hoffman
Jabez Jackson
John P. Kennedy
Hugh S. Legare
Levi Lincoln
Francis S. Lyon
Francis Mallory
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Mathias Morris
Calvary Morris
Charles Naylor
Charles Ogle
James A. Pearce
Lancelot Phelps
Francis W. Pickens

Mr. John Pope
David Potts, jr.
James Rariden
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
John Sergeant
Augustine H. Sheppard
William Slade
Edward Stanly
William Stone
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Joseph L. Williams
Christopher H. Williams
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews

Mr. Charles G. Atherton
Linn Banks

Mr. Cyrus Beers
Andrew Beirne

Mr. Bennet Bicknell
 Samuel Birdsall
 Ratliff Boon
 James W. Bouldin
 Isaac H. Bronson
 Andrew Buchanan
 William B. Calhoun
 C. C. Cambreleng
 John Campbell
 Zadok Casey
 Walter Coles
 Henry W. Connor
 Robert Craig
 Isaac E. Crary
 Samuel Cushman
 Thomas Davee
 John I. De Graff
 George H. Dunn
 George Evans
 Horace Everett
 Isaac Fletcher
 Henry A. Foster
 Hiram Gray
 Elisha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Micajah T. Hawkins
 Charles E. Haynes
 Hopkins Holsey

Mr. Orrin Holt
 George W. Hopkins
 Benjamin C. Howard
 Edward B. Hubley
 Samuel Ingham
 Thomas B. Jackson
 Joseph Johnson
 William Cost Johnson
 Nathaniel Jones
 George M. Keim
 Daniel P. Leadbetter
 Henry Logan
 Arphaxed Loomis
 Richard P. Marvin
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles F. Mercer
 John Miller
 Charles F. Mitchell
 William Montgomery
 Ely Moore
 William S. Morgan
 William H. Noble
 Joseph C. Noyes
 John Palmer
 Amasa J. Parker
 William Parmenter

Mr. Virgil D. Parris
 Lemuel Paynter
 Arnold Plumer
 Zaddock Pratt
 John H. Prentiss
 Luther Reily
 Francis E. Rives
 Daniel Sheffer
 Charles Shepard
 Ebenezer J. Shields
 Matthias Sheplor
 Mark H. Sibley
 Francis O. J. Smith
 Adam W. Snyder
 James B. Spencer
 Archibald Stuart
 Henry Swearingen
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Henry Vail
 Abraham Vanderveer
 Taylor Webster
 Joseph Weeks
 Sherrod Williams
 Jared W. Williams
 Henry A. Wise
 John T. H. Worthington
 Archibald Yell.

The question was then put on the amendment moved by Mr. Loomis,

And passed in the negative, { Yeas, 90,
 { Nays, 112.

The yeas and nays being desired by one-fifth of the members present,
 Those who voted in the affirmative are—

Mr. Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 Linn Banks
 William Beatty
 Cyrus Beers
 Andrew Beirne
 Bennet Bicknell
 Samuel Birdsall
 Ratliff Boon
 Isaac H. Bronson
 Andrew Buchanan
 C. C. Cambreleng
 John Campbell
 Jesse F. Cleveland
 Walter Coles
 Henry W. Connor
 Robert Craig
 Isaac E. Crary
 Samuel Cushman
 Thomas Davee
 John I. De Graff
 George C. Dromgoole
 James Farrington
 Isaac Fletcher
 Henry A. Foster
 Jacob Fry, jr.
 Albert Gallup

Mr. Abraham P. Grant
 Hiram Gray
 John K. Griffin
 Elisha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Micajah T. Hawkins
 Charles E. Haynes
 Hopkins Holsey
 Orrin Holt
 Benjamin C. Howard
 Edward B. Hubley
 Samuel Ingham
 Thomas B. Jackson
 Joseph Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kambie
 Daniel P. Leadbetter
 Arphaxed Loomis
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure

Mr. John Miller
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 William H. Noble
 George W. Owens
 Amasa J. Parker
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 Lancelot Phelps
 Arnold Plumer
 William W. Potter
 Zaddock Pratt
 John H. Prentiss
 Luther Reily
 R. Barnwell Rhett
 Francis E. Rives
 Daniel Sheffer
 Charles Shepard
 Matthias Sheplor
 James B. Spencer
 Henry Swearingen
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Henry Vail

Mr. Abraham Vanderveer
Taylor Webster

Mr. Joseph Weeks
Jared W. Williams

Mr. John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
John Bell
William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
Charles D. Coffin
• Thomas Corwin
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
Edward Davies
Edmund Deberry
George H. Dunn
John Edwards
George Evans
Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore
Rice Garland
Patrick G. Goode
James Graham
William Graham
Seaton Grantland

Mr. William J. Graves
George Grennell, jr.
William Halsted
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Ogden Hoffman
George W. Hopkins
Robert M. T. Hunter
Jabez Jackson
Daniel Jenifer
William Cost Johnson
John P. Kennedy
Hugh S. Legare
Levi Lincoln
Francis S. Lyon
Francis Mallory
Richard P. Marvin
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
Charles F. Mitchell
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
James A. Pearce
Luther C. Peck
Francis W. Pickens

Mr. John Pope
David Potta, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
John Sergeant
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
Francis O. J. Smith
Adam W. Snyder
Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

The question then recurred on the resolution moved by Mr. Wise; and after debate, the hour of one o'clock arrived; and

The House then proceeded to the execution of the special order of the 8th instant, and resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 703) for extending and improving the navy yard at Brooklyn and for constructing a dry dock at the same, and had come to no resolution thereon.

The Speaker laid before the House a letter from the Secretary of the Treasury, stating that the Citizens' Bank in Louisiana has been selected as a deposite bank; which fact he reports to Congress in obedience to the tenth section of the deposite act of June 26, 1836; which letter was ordered to lie on the table.

The message, in writing, received from the President of the United States to-day was read, and is as follows:

To the House of Representatives :

I communicate to the House of Representatives, in compliance with its resolution of the 3d instant,* reports from the Secretaries of State and War, containing all the information, called for by said resolution, now in possession of the Executive.

M. VAN BUREN.

WASHINGTON, January 10, 1839.

Ordered, That the said message do lie on the table.

On motion of Mr. Haynes, leave was given to withdraw the petition of J. Martin.

And then, at four and a half o'clock, the House adjourned until to-morrow, twelve o'clock meridian.

FRIDAY, JANUARY 11, 1839.

Mr. Campbell, of Tennessee, from the Committee of Claims, made a report on the petition of Chauncey Calhoon, accompanied by a bill (No. 1018) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Chambers,

Ordered, That the Committee of Claims be discharged from the consideration of the petition of Richard Graham and John O'Fallon, sureties of E. T. Langham, late surveyor of Illinois and Missouri; and that leave be given to withdraw the same.

Mr. Williams, of New Hampshire, from the Committee of Claims, made an unfavorable report on the petition of Betty H. Beard and James Gray; which report was laid on the table.

Mr. Chambers, from the Committee of Claims, made unfavorable reports on the cases of Robert D. Richardson and James B. Wills; which reports were ordered to lie on the table.

Mr. Chambers, from the Committee of Claims, made a report on the case of Teakle Savage, administrator of Bolitha Laws, deceased, accompanied by a bill (No. 1019) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Giddings,

Resolved, That the Committee of Claims be discharged from the further consideration of the claim of George B. De Peyster; and that the petitioner have leave to withdraw the papers.

Mr. Giddings, from the Committee of Claims, made an unfavorable report on the case of inhabitants of East Florida, for indemnity on account of loss of property of depredations by hostile Indians; which report was ordered to lie on the table.

Mr. Worthington, from the Committee on Commerce, made a report on the case of John McColgan, accompanied by a bill (No. 1020) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Casey, from the Committee on the Public Lands, reported sundry bills, viz :

No. 1021. A bill for the relief of William B. Livesay;

* Touching the invasion of the Southwestern frontier of the United States by an armed force from the republic of Texas.

No. 1022. A bill for the relief of Philip Catner ;

No. 1023. A bill for the relief of Isaac Miller ;

No. 1024. A bill for the relief of Peter Samuel Jaccard ; accompanied by a report in each case ; which bills were read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Taliaferro, from the Committee on Revolutionary Claims, reported a bill (No. 1025) for the relief of the heirs Richard of Shubrick, accompanied by a report ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Taliaferro, from the Committee on Revolutionary Claims, made a report on the petition of the heirs of John De Treville, accompanied by a bill (No. 1026) for the relief of the said heirs ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Harlan, from the Committee on Private Land Claims, made an unfavorable report on the case of Robert Casey ; which was ordered to lie on the table.

Mr. Harlan, from the Committee on Private Land Claims, reported a joint resolution (No. 35) for the relief of the heirs at law of Captain Frederick M. Bell ; which resolution was read the first and second time, and ordered to be engrossed, and read a third time to-day.

On motion of Mr. Harlan,

Ordered, That the Committee on Private Land Claims be discharged from the consideration of the case of William Brown ; and that it lie on the table.

Mr. Rice Garland, from the Committee on Private Land Claims, made a report on the case of Thomas M. Burland, accompanied by a bill (No. 1027) for his relief ; which bill was read the first and second time, and the further consideration thereof was postponed until Friday the 18th of the present month.

On motion of Mr. Parker,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the case of Richard Brannin ; and that it lie on the table.

Mr. Bell submitted to the House a communication from the Secretary of War to the Committee on Indian Affairs, recommending the appointment of a full agent for Indian affairs to the Osage tribe, in lieu of the sub-agent now with said tribe ; which communication was referred to the Committee on Indian Affairs.

Mr. Bronson, from the Committee on the Territories, reported a bill (No. 1028) to define and establish the eastern boundary-line of the Territory of Iowa ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Jones, of New York, from the Committee on the Territories, to which the subject was referred on the 7th instant, reported a bill (No. 1029) making an appropriation for purchasing a library for the use of the Legislative Council and court of appeals of the Territory of Florida ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Morgan,

Ordered, That the Committee on Revolutionary Pensions be discharged from the consideration of the case of George Harman, and that it be com-

mitted to the Committee of the Whole House to which is committed the bill (No. 176) extending the provisions of the act supplementary to the act for the relief of certain surviving officers and soldiers of the Revolution, passed June 7, 1832 :

Also, from the petition of Esther Culver ; and that it lie on the table.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee did, this day, present to the President of the United States an enrolled bill (No. 975) entitled " An act to provide for carrying into effect the convention between the United States of America and the republic of Texas, for marking the boundary between them."

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed a resolution (No. 7) concerning the legacy bequeathed by Mr. James Smithson, of London, to the United States, in trust for an institution of learning to be established in the city of Washington ; in which resolution I am directed to ask the concurrence of this House. And then he withdrew.

Mr. Mason, of Ohio, gave notice that he would to-morrow ask leave to bring in a bill, to be entitled " A bill to repeal the second section of ' An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office,' approved July 7, 1838."

Mr. Mercer gave notice that he would to-morrow ask leave to bring in a bill to be entitled " A bill to alter the mode of appointing certain officers of the United States, and for other purposes."

The House resumed the consideration of the resolutions moved by Mr. Wise on the 28th ultimo, for the printing an extra number of certain documents therein described.

A motion was made by Mr. Whittlesey to amend the said resolution, by striking out " twenty thousand," and inserting " five thousand."

And, after debate,

The previous question was moved by Mr. Mitchell, and was demanded by a majority of the members present.

A motion was then made by Mr. Petrikin, that the first of the said resolutions do lie on the table ; which motion was disagreed to by the House.

The previous question was then put, viz : Shall the main question be now put ?

And passed in the affirmative.

A division of the main question was then called for by Mr. Petrikin,

And the question was put, that the House do agree to the first resolution, which is in the words following :

1. *Resolved*, That twenty thousand copies extra, of document No. 297 of the 2d session of the 25th Congress, and a like number extra of document No. 13 of the present session of Congress—the former relating to public defaulters, the latter to the defalcation of Samuel Swartwout—be printed for the use of this House.

And passed in the affirmative, { Yeas, 110,
Nays, 82.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
John W. Allen

Mr. John Bell
Richard Biddle
William Key Bond

Mr. Nathaniel B. Borden
James W. Bouldin
George N. Briggs

Mr. William B. Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
William K. Clowney
Charles D. Coffin
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
Edmund Deberry
George H. Dunn
John Edwards
George Evans
Horace Everett
John Ewing
Millard Fillmore
James Garland
Rice Garland
Joshua R. Giddings
Patrick G. Goode
William Graham
Seaton Grantland
William J. Graves
George Grennell, jr.

Mr. Hiland Hall
James Harlan
Albert G. Harrison
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Jabez Jackson
Daniel Jenifer
Henry Johnson
John P. Kennedy
Dixon H. Lewis
Levi Lincoln
Francis Mallory
Richard P. Marvin
James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
James A. Pearce
David Potts, jr.

Mr. Zadock Pratt
Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
Francis O. J. Smith
Adam W. Snyder
William W. Southgate
Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillingham
George W. Toland
Albert S. White
Lewis Williams
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorks.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
Ratliff Boon
Isaac H. Bronson
Andrew Buchanan
John Chaney
Reuben Chapman
Jesse F. Cleveland
Walter Coles
Robert Craig
Isaac E. Crary
Samuel Cushman
Thomas Davee
John I. De Graff
George C. Dromgoole
Alexander Duncan
James Farrington
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
Hiram Gray

Mr. John K. Griffin
Elisha Haley
Thomas L. Hamer
Micajah T. Hawkins
Charles E. Haynes
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
John W. Jones
George M. Keim
John Klingensmith, jr.
Daniel P. Leadbetter
Arphaxed Loomis
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
William Montgomery
Ely Moore
William S. Morgan
William H. Noble
George W. Owens

Mr. John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
David Petrikin
Lancelot Phelps
Arnold Plumer
John H. Prentiss
R. Barnwell Rhett
Francis E. Rives
Samuel T. Sawyer
Daniel Sheffer
Charles Shepard
Matthias Shepler
James B. Spencer
Henry Swearingen
Francis Thomas
Obadiah Titus
Isaac Toucey
Hopkins L. Turney
Henry Vail
Joseph Weeks
Thomas T. Whittlesey
Jared W. Williams
Jno. T. H. Worthington
Archibald Yell.

The question was then put, that the House do agree to the second resolution, which is in the words following :

2. Resolved, That the Secretary of the Treasury report to this House—

First. What defalcations by collectors and receivers, or other depositaries of the public money, have taken place since the 1st day of October, 1837; the names of the defaulters; when and where they took place; and what amount.

Second. What amount has been paid, or what balances appearing due from defaulters in the report of the 17th of January last have been adjusted and reduced.

And that he be required to report to this House all the correspondence touching defalcations of receivers and collectors of public money since the Department furnished document No. 297.

And passed in the affirmative,

{ Yeas,	185,
{ Nays,	7.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsall
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
John Chaney
Reuben Chapman
Richard Cheatham
Timothy Childs
John C. Clark
Jesse F. Cleveland
Charles D. Coffin
Walter Coles
Henry W. Connor
Thomas Coorwin
George W. Crabb
Robert Craig
Isaac E. Crary
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Samuel Cushman
Edward Darlington
William C. Dawson

Mr. Thomas Daves
Edward Davies
Edmund Deberry
John L. De Graff
George H. Dunn
John Edwards
George Evans
Horace Everett
John Ewing
James Farrington
Isaac Fletcher
Millard Fillmore
Albert Gallup
James Garland
Rice Garland
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
William J. Graves
Hiram Gray
George Grennell, jr.
John K. Griffin
Elisha Haley
Hiland Hall
Thomas L. Hamer
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
William Herod
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Daniel Jenifer
Henry Johnson
Joseph Johnson
William Cost Johnson

Mr. Nathaniel Jones
John W. Jones
John P. Kennedy
John Klingensmith, jr.
Dixon H. Lewis
Levi Lincoln
Henry Logan
Arphaxed Loomis
Francis Mallory
Richard P. Marvin
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
William Montgomery
Ely Moore
Mathias Morris
Charles Naylor
William H. Noble
Joseph C. Noyes
Charles Ogle
George W. Owens
John Palmer
Virgil D. Parris
Lemuel Paynter
James A. Pearce
Lancelot Phelps
Francis W. Pickens
John Pope
David Potts, jr.
William W. Potter
Zedock Pratt
John H. Prentiss
Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph

Mr. John Reed
 Abraham Rencher
 Joseph Ridgway
 Francis E. Rives
 John Robertson
 Edward Robinson
 Edward Rumsey
 David Russell
 Leverett Saltonstall
 Samuel T. Sawyer
 Daniel Sheffer
 Augustine H. Shepperd
 Charles Shepard
 Ebenezer J. Shields
 Matthias Sheplor
 Mark H. Sibley

Mr. Francis O. J. Smith
 Adam W. Snyder
 William W. Southgate
 James B. Spencer
 Edward Stanly
 Archibald Stuart
 William Stone
 Henry Swearingen
 John Taliaferro
 Francis Thomas
 Joseph L. Tillinghast
 Obadiah Titus
 George W. Toland
 Isaac Toucey
 Hopkins L. Turney
 Henry Vail

Mr. Abraham Vanderveer
 Taylor Webster
 Joseph Weeks
 Albert S. White
 John White
 Thomas T. Whittlesey
 Lewis Williams
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 John T. H. Worthington
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. George C. Dromgoole
 Jacob Fry, jr.
 George M. Keim

Mr. Daniel P. Leadbetter
 William S. Morgan

Mr. David Petrikin
 Arnold Plumer.

A message was received from the President of the United States, by Mr. Martin Buren, jr., his private secretary, notifying that the President did this day approve and sign an enrolled bill (No. 975) entitled "An act to provide for carrying into effect the convention between the United States of America and the republic of Texas, for marking the boundary between them."

The House then proceeded in the execution of the special order of the 8th instant, and again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly bills of the following titles, viz:

No. 703. A bill for extending and improving the navy yard at Brooklyn, and for constructing a dry dock at the same;

No. 573. A bill to regulate the pay and emoluments of pursers in the navy;

No. 572. A bill to alter and regulate the navy ration;

No. 670. A bill to authorize the purchase of two vessels to be employed as receiving-vessels in the naval service;

No. 571. A bill for reducing, under one head of appropriation, various appropriations for building, rebuilding, purchasing, and repairing vessels of war, and for providing materials for the same;

No. 525. A bill for the payment of certain pensions heretofore paid out of the privateer pension fund;

No. 652. A bill for the augmentation of the United States marine corps; and that he was directed to report to the House the bills numbered 703, 670, 571, and 525, without amendment; and 573 and 572 with amendments to each; and that upon bill No. 652 the committee had come to no resolution.

The Speaker laid before the House sundry communications, viz:

I. A communication from the Commissioner of the General Land Office, in answer to the call of the House of the 31st of December, ult., for information respecting lands in the Edwardsville and Kaskaskia land districts, in the State of Illinois; which communication was referred to the Committee on the Public Lands.

II. A letter from the Secretary of the Navy, transmitting lists of the names of the clerks employed in the several offices of the Navy Department in the year 1838, with the salary of each; which letter was ordered to lie on the table.

III. A letter from the Secretary of the Treasury, transmitting a statement of the payments made at the Treasury during the year 1838, from the appropriation for the discharge of miscellaneous claims against the Government; also, a statement of the expenditures and receipts of the marine hospital fund for the relief of sick and disabled seamen, during the year 1837; which letter and statements were laid on the table.

And then, at a quarter before five o'clock, the House adjourned until to-morrow, twelve o'clock meridian.

SATURDAY, JANUARY 12, 1839.

Mr. Cushman, from the Committee on Commerce, to which was referred the petition of Anthony C. Meneghetty, reported a bill (No. 1030) to authorize the issuing of a register to Anthony C. Meneghetty for the sloop Sarah; which bill was read the first and second time, and ordered to be engrossed, and read a third time to-day.

The said bill being engrossed, was read a third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

Mr. Mason, of Virginia, from the Committee on Commerce, made unfavorable reports upon the petition of Francis Watlington, and, also, upon the petition of Caleb Williams and Stephen W. Hunt; which reports were ordered to lie upon the table.

On motion of Mr. McKay,

Ordered, That the Committee on Military Affairs be discharged from the consideration of the resolution of the House of the 31st of December last, requesting said committee to inquire into the expediency of repealing so much of an act, approved March 2, 1833, "to improve the condition of the non-commissioned officers and privates of the army and marine corps of the United States, and to prevent desertion," which revives the punishment of stripes and lashes for that offence, and that the said resolution do lie on the table.

Mr. Lincoln, from the Committee on the Public Buildings and Grounds, to which the subject of a fire-proof building for the Post Office Department was referred by resolution on the 3d instant, reported a bill (No. 1031) providing for the erection of a fire-proof building for the use of the General Post Office Department; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Clowney, from the Committee on the Expenditures of the Department of War, to which the claim of Samuel Lewis was referred by resolution of the House of the 9th of April last, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That the Secretary of War be directed to require from Samuel Lewis the repayment of the sum of eight hundred dollars, improperly allowed to him for the services of his son Edward, (a minor,) as clerk in the Pension bureau from July, 1818, to July, 1819, together with interest from the day he received the same; and upon the refusal or neg-

lect of the said Samuel Lewis to refund the said sum of money, with interest, that the Attorney General of the United States be, and he is hereby, instructed forthwith to institute proper legal proceedings for the recovery of the same.

Ordered, That the consideration of the said resolution be postponed until the 19th instant.

A motion was made by Mr. Curtis, that the rule in relation to the priority of business be suspended, to enable him to submit the following resolution, to wit :

Resolved, That ten thousand copies of documents Nos. 54 and 69, being reports of the Secretary of the Treasury in relation to the default of Samuel Swartwout, late collector of New York, be printed for the use of the House, with the other documents on the same subject.

And on the question, Shall the rule be suspended for the purpose aforesaid ?

There appeared, { Yeas, 167.
 { Nays, 77.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
Richard Biddle
William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
William B. Campbell
William B. Carter
Zadok Casey
Reuben Chapman
Richard Cheatham
John C. Clark
Charles D. Coffin
Thomas Corwin
George W. Crabb
Isaac E. Crary
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Samuel Cushman
William C. Dawson
Edmund Deberry
George H. Dunn
George Evans
Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore
Rice Garland
Joshua R. Giddings
Patrick G. Goode
Seaton Grantland

Mr. George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Ogden Hoffman
Daniel Jenifer
Henry Johnson
William Cost Johnson
John P. Kennedy
Hugh S. Legare
Levi Lincoln
Francis S. Lyon
Francis Mallory
Richard P. Marvin
James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
James A. Pearce
Luther C. Peck
Francis W. Pickens

Mr. David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Edward Robinson
Edward Rumsey
David Russell
Samuel T. Sawyer
John Sergeant
Charles Shepard
Ebenezer J. Shields
Mark H. Sibley
William Slade
Francis O. J. Smith
William W. Southgate
Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton

Mr. Linn Banks
William Beatty
Cyrus Beers

Mr. Andrew Beirne
Bennet Bicknell
Samuel Birdall

Mr. Ratliff Bown	Mr. Edward B. Hubley	Mr. George W. Owens
Andrew Buchanan	William H. Hunter	Amasa J. Parker
John Chambers	Robert M. T. Hunter	Lemuel Paynter
John Chaney	Samuel Ingham	David Petrikin
Jease F. Cleveland	Thomas B. Jackson	Lancelot Phelps
Walter Coles	Joseph Johnson	William W. Potter
Henry W. Connor	Nathaniel Jones	John H. Prentiss
Robert Craig	John W. Jones	Luther Reily
John I. De Graff	George M. Keim	John P. Richardson
George C. Dromgoole	Gouverneur Kemble	Francis E. Rives
Franklin H. Elmore	John Klingensmith, jr.	Daniel Sheffer
James Farrington	Daniel P. Leadbetter	Matthias Shepler
Isaac Fletcher	Dixon H. Lewis	Adam W. Snyder
Jacob Fry, jr.	Henry Logan	James B. Spencer
Hiram Gray	Arphaxed Loomis	Henry Swearingen
Elisha Haley	James J. McKay	William Taylor
Thomas L. Hamer	Robert McClellan	Francis Thomas
Micajah T. Hawkins	Abraham McClellan	Obadiah Titus
Charles E. Haynes	John Miller	Isaac Toucey
Hopkins Holsey	William S. Morgan	Hopkins L. Turney
Orrin Holt	Samuel W. Morris	Thomas T. Whittlesey
George W. Hopkins	John L. Murray	Jared W. Williams
Benjamin C. Howard	William H. Noble	

Two-thirds not voting in the affirmative, the question was lost.

Mr. Johnson, of Maryland, from the Select Committee appointed on the 10th of January, 1838, upon so much of the message of the President of the United States at the commencement of the last session of Congress as relates to the establishment of a national foundry for cannon to be common to the service of the army and navy of the United States, and which committee was continued over to the present session of Congress, by order of the House of the 7th July, 1838, made a report thereon at length, accompanied by a bill (No. 1032) to establish a national foundry for fabricating cannon for the use of the army and navy of the United States; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Bills from the Senate of the following titles, viz :

No. 16. An act for the relief of Sarah Angel and the other heirs at law of Benjamin King, deceased;

No. 29. An act for the relief of sundry citizens of Arkansas who lost their improvements in consequence of a treaty between the United States and the Choctaw Indians;

No. 35. An act making an appropriation for the support of the penitentiary in the district of Columbia;

No. 80. An act further to regulate the transportation of the mail upon railroads;

No. 152. An act to relinquish to the State of Mississippi the two per cent. fund accruing by the act for the admission of said State into the Union;

No. 177. An act to renew the patent of Thomas Blanchard; were severally read the first and second time, and referred—

No. 16, to the Committee on Revolutionary Claims;

No. 29, to the Committee on the Public Lands;

No. 35, to the Committee for the District of Columbia;

No. 80, to the Committee on the Post Office and Post Roads;

No. 152, to the Committee on Roads and Canals;

No. 177, to the Committee on Patents.

The House proceeded to the consideration of the bill of the House (No.

552) for the relief of the legal representatives of Captain Thomas Triplett; when it was,

On motion of Mr. Taliaferro,

Ordered, That the said bill be recommitted to the Committee on Revolutionary-Claims.

The House proceeded to the consideration of the bill of the House (No. 924) giving the assent of Congress to an act of the General Assembly of Virginia, entitled "An act to amend an act incorporating the Falmouth and Alexandria Railroad Company," which passed the 2d day of February, 1836; when it was,

On motion of Mr. Bouldin,

Ordered, That the said bill be recommitted to the Committee on Roads and Canals.

The concurrent resolution from the Senate (No. 7) "concerning the legacy bequeathed by Mr. James Smithson, of London, to the United States, in trust, for an institution of learning to be established in the city of Washington," was read, and concurred in by the House. The said resolution is in the words following:

Resolved by the Senate, (the House of Representatives concurring,) That a joint committee be appointed, consisting of seven members of the Senate, and such a number of said House as they shall appoint, to consider the expediency of providing an institution of learning, to be established in the city of Washington, for the application of the legacy bequeathed by Mr. James Smithson, of London, to the United States, in trust for that purpose; also, to consider the expediency of a charter for such institution, together with the powers and privileges which, in their opinion, the said charter ought to confer; also, to consider the expediency of ways and means to be provided by Congress other than said legacy, but in addition thereto, and in aid of said benevolent intention; and to report by bill or bills in the premises.

Ordered, That Mr. Robbins, Mr. Preston, Mr. Rives, Mr. Buchanan, Mr. Benton, Mr. Southard, and Mr. Bayard, be the committee on the part of the Senate.

Ordered, That the committee, to be appointed in pursuance of said resolution, on the part of the House, consist of nine members.

Mr. John Quincy Adams, Mr. Smith, Mr. Ogle, Mr. Charles Shepard, Mr. Holt, Mr. Thompson, Mr. Hunter of Ohio, Mr. Kennedy, and Mr. Garland of Virginia, were appointed said committee.

Engrossed bills of the following titles, to wit:

No. 883. An act for the relief of Messrs. Smith & Town;

No. 910. An act for the relief of Levi Chadwick;
were severally read a third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bills.

Engrossed resolutions of the following titles, to wit:

No. 29. Authorizing an examination and payment of the claims of the workmen upon the public buildings;

No. 33. For the relief of the heirs at law of Charles Brown, deceased;

No. 35. For the relief of the heirs at law of Captain Frederick M. Bell, deceased;

were severally read a third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said resolutions.

The House proceeded to the consideration of the bill (No. 440) for the relief of the legal representatives of Thomas Glascock, deceased, reported

from the Committee of the Whole House, with an amendment, on the 2d of June last; when the said amendment was read and concurred in, and the bill was ordered to be engrossed, and read a third time on Monday next.

The House proceeded to the consideration of the bill (No. 650) for the relief of Larkin Smith; the question being upon the amendment to the said bill reported from the Committee of the Whole House on the 2d of June last.

The said amendment was read, and concurred in; when the question recurred on ordering the said bill to be engrossed, and read a third time; and, after debate,

The previous question was moved by Mr. Sherrod Williams; and being demanded by a majority of the members present,

The said previous question was put, to wit: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, to wit: Shall the bill be engrossed, and read a third time?

And decided in the negative, { Yeas, 64,
 { Nays, 79.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. James Alexander, jr.
J. Banker Aycrigg
Linn Banks
William B. Campbell
John Campbell
William B. Carter
John Chambers
Timothy Childs
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
John W. Crockett
Edward Curtis
William C. Dawson
Edward Davies
George H. Dunn
Franklin H. Elmore
John Ewing
Patrick G. Goode
William Graham
William J. Graves
William Halsted

Mr. James Harlan
Alexander Harper
Thomas Henry
William Herod
Ogden Hoffman
Robert M. T. Hunter
Daniel Jenifer
William Cost Johnson
John P. Kennedy
Francis Mallory
James M. Mason
Samson Mason
Joshua L. Martin
William L. May
Charles F. Mercer
John J. Milligan
Charles Naylor
Charles Ogle
Virgil D. Parris
James A. Pearce
William W. Potter

Mr. Sergeant S. Prentiss
Joseph F. Randolph
Joseph Ridgway
John Robertson
Edward Rumsey
John Sergeant
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
William W. Southgate
Edward Stanley
William Stone
John Taliaferro
Obadiah Titus
George W. Toland
Albert S. White
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise.

Those who voted in the negative are—

Mr. John Quincy Adams
Heman Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
William Key Bond
Nathaniel B. Borden
Andrew Buchanan
C. C. Cambreleng
Zadok Casey

Mr. John Chaney
Reuben Chapman
Walter Coles
George W. Crabb
Robert Craig
Caleb Cushing
Samuel Cushman
Thomas Davee
John Edwards
George Evans
Horace Everett
Jacob Fry, jr.
George Grennell, jr.
John K. Griffin

Mr. Hiland Hall
Robert H. Hammond
Thomas L. Hamer
William S. Hastings
Richard Hawes
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
John W. Jones
Gouverneur Kemble
Levi Lincoln

Mr. Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 John P. B. Maxwell
 James J. McKay
 Abraham McClellan
 Thos. M. T. McKennan
 Richard H. Menefee
 Samuel W. Morris
 Calvary Morris
 William H. Noble
 Joseph C. Noyes
 William Parmenter

Mr. Lemuel Paynter
 David Petrikin
 Zadock Pratt
 James Rariden
 John Reed
 Luther Reily
 Francis E. Rives
 David Russell
 Leverett Saltonstall
 Samuel T. Sawyer
 Daniel Sheffer
 Charles Shepard

Mr. Matthias Sheplor
 Francis O. J. Smith
 James B. Spencer
 Henry Swearingen
 William Taylor
 George W. Towns
 Hopkins L. Turney
 Joseph R. Underwood
 Abraham Vanderveer
 Taylor Webster
 Lewis Williams
 Thomas J. Word.

The House proceeded to the consideration of bill (No. 694) for the relief of William Madison ; the question being upon the amendment to the said bill reported from the Committee of the Whole House on the 3d of June last.

The said amendment was read and concurred in ; and the question recurring on ordering the said bill to be engrossed, and read a third time ; when

A motion was made by Mr. Petrikin to amend the said bill, by adding thereto the following, to wit : "*Provided, however*, That, previous to said claimant receiving any moneys in virtue or under the provisions of this act, he shall refund to the Treasurer of the United States the sum of eight thousand three hundred dollars, which he, the said claimant, received for pay and commutation to which he was not entitled."

And, after debate,

The previous question was moved by Mr. Mercer, and, being demanded by a majority of the members present,

The said previous question was put, to wit : Shall the main question be now put ?

And decided in the affirmative.

The main question was then put, to wit : Shall the bill be engrossed, and read a third time ? (the amendment being set aside by the previous question,)

And decided in the negative.

So the bill was rejected.

The Speaker laid before the House sundry communications, to wit :

I. A letter from the Secretary of War, transmitting a statement of the names and salaries of the clerks employed in the Department of War in the year 1838, in obedience to the act of April 20, 1818, entitled "An act to regulate and fix the compensation of the clerks in the different offices ;" which letter and statement were ordered to lie on the table.

II. A letter from the Secretary of War, transmitting, in compliance with a resolution of the House of the 3d of January, 1839, copies of all papers (from No. 1 to 40,) which relate to the subject of the defalcation of General Charles Gratiot ; which letter and papers were ordered to lie on the table.

Mr. Underwood, by leave, presented a communication from Charles Gratiot, upon the subject of his alleged defalcation ; which communication was ordered to lie on the table.

And then, at four o'clock and thirty minutes, the House adjourned until Monday next, at twelve o'clock meridian.

MONDAY, JANUARY 14, 1839.

A motion was made by Mr. Craig that the House do reconsider the vote of the 12th instant, on the question that the bill (No. 650) for the relief of the heirs of Larkin Smith be engrossed and read a third time, whereby said bill was rejected.

On motion of Mr. Chapman, of Iowa,

1. *Resolved*, That the Committee on the Public Lands be instructed to inquire what probable proportion of the public lands remain unoccupied and unsold in consequence of not granting pre-emption on timbered land in conjunction with prairie; and whether any considerable number of the actual settlers intended to be brought within the provisions of the late pre-emption law have been and are liable to be excluded.

That said committee inquire into the expediency of amending the pre-emption law so that all who have settled or shall hereafter settle may purchase timbered land and prairie in conjunction, if they desire.

2. *Resolved*, That the Committee on the Public Lands be instructed to inquire into the expediency of granting to the Territory of Iowa a quantity of land whereon the seat of government thereof may be located.

3. *Resolved*, That the Committee of Ways and Means be instructed to inquire into the expediency of making a further appropriation for the improvement of the Des Moines and Rock-river rapids on the Mississippi river.

On motion of Mr. Crary,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making an appropriation for the improvement of the harbor of Mackinac, according to the recommendation of Lieutenant Homans of the navy.

On motion of Mr. Yell,

Resolved, That the Committee on Private Land Claims be instructed to inquire into the propriety of confirming to Major Henry Wilson certain tracts of land purchased by him in the State of Arkansas.

Mr. Miller submitted the following resolution:

Resolved, That the Select Committee on the Public Lands be instructed to inquire into the expediency of granting to each of the States of Louisiana, Mississippi, Alabama, Arkansas, Illinois, Indiana, Michigan, and Missouri, a quantity of land to be applied to the construction of works of internal improvement within those States, respectively; which land so granted, with what each of those States have heretofore received (if any) from the United States for such purposes, shall make the entire grant to each equal to that heretofore granted to the State of Ohio.

A motion was made by Mr. Robertson, of Virginia, to amend said resolution, by striking out the words "of Louisiana, Mississippi, Alabama, Arkansas, Illinois, Indiana, Michigan, and Missouri."

And, debate arising, the said resolution was laid over, under the rule.

Mr. Lewis presented a memorial of the Legislature of the State of Alabama, praying that compensation may be made to certain citizens of said State, for depredations committed by Creek Indians in, prior to, and since the year 1836; which said memorial, accompanied by resolutions of said Legislature in relation thereto, was referred to the Committee of Claims.

Mr. Martin presented a memorial of John S. Wilson, of Pike county,

in the State of Alabama, praying remuneration for a section of land, and the improvements thereon, purchased of the United States, and to which the United States had no title; which memorial was referred to the Committee on Private Land Claims.

Mr. Prentiss, of Mississippi, presented a memorial of David McCaleb, jr., of Warren county, in the State of Mississippi, praying confirmation of his title to a thousand-acre lot of land, lying on the east bank of Mississippi river, in township No. 14, of range No. 2 east, in the district of lands west of Pearl river, in the State of Mississippi.

Mr. Doty moved the following resolution, viz :

Resolved, That the Secretary of War be requested to communicate to the House of Representatives a copy of the report and survey of the Neenah or Fox river of Green bay, made by Mr. J. B. Pettival, under the direction of the Topographical bureau ; and also such information as he may have of the route of a canal from Fond du Lac to Rock river and to the Wisconsin.

The rule which requires this resolution to lie on the table one day being dispensed with, it was read, considered, and agreed to.

On motion of Mr. Doty,

1. *Resolved*, That the Committee on Commerce be instructed to inquire into the expediency of declaring Green Bay and Milwaukee ports of entry ; and of making an appropriation for placing buoys at the entrance of the channel of the Neenah or Fox river ; and that the report of Lieutenant J. T. Homans, contained in document No. 24 of the documents of this session, be referred to said committee.

2. *Resolved*, That the Committee on the Territories be instructed to inquire into the necessity of changing, and limiting to shorter periods, the tenure of office of the governor, secretary, members of the Legislative Assembly, judges, attorney, and marshal, of the Territory of Wisconsin ; and of defining by law the commencement and termination of the term of service of the delegate for said Territory in the House of Representatives.

3. *Resolved*, That the Committee on the Territories be instructed to inquire into the expediency of establishing a general system of internal improvements in the Territory of Wisconsin, and of providing such means as may be required to carry the same into effect.

On motion of Mr. Miller,

Resolved, That the Committee on Military Affairs be instructed to inquire into the state of the military defences on the Western frontier of the United States, and into the expediency of adopting, for the protection of said frontier, an adequate system of defence ; and that the said committee be further instructed to inquire into the expediency of making an appropriation to enable the United States Government to carry into effect such system of defence on said frontier as may be adapted for its permanent protection and security.

On motion of Mr. Harrison,

Resolved, That the Select Committee on steamboats be instructed to inquire into the expediency of so amending the act regulating steamboats and other vessels propelled by steam, so as to require all engineers, before they shall be allowed to act as such, to be examined by a competent board of persons, appointed for that purpose, who, upon being found qualified, shall obtain a certificate to that effect.

That they further inquire into the expediency also of requiring all

pilots of steamboats and other vessels propelled by steam, to be examined in like manner; who, if found qualified upon such examination, shall also obtain a certificate of their qualifications.

That they further inquire into the propriety of amending said act so as to prohibit any person from acting as captain or commander of any steamboat until he shall have served at least two years in said business; also, into the expediency of requiring every applicant, before examination, to bring forward testimonials of his sober, moral, and industrious habits.

That the Committee on Commerce inquire into the expediency of so amending the laws relative to debenture, as to allow drawbacks upon goods employed in the trade from Missouri and Arkansas to Santa Fe and other provinces in Mexico.

On motion of Mr. Lyon,

Resolved, That the Committee on the Judiciary inquire into the expediency of changing the time of holding the fall terms of the circuit court of the United States for the southern district of Alabama to a later and more healthy season of the year, so as to prevent a failure of the courts.

On motion of Mr. Crabb,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of providing by law for continuing the present mail facilities to the people of the United States.

Mr. Crabb moved the following resolution:

Resolved, That the Postmaster General be instructed to report to this House what amount of funds, in addition to the proceeds of the Post Office Department, will be necessary to continue, during the present year, the mail facilities on the present establishment of that Department; and, also, to report to this House what reductions in said mail facilities he has ordered; and whether such reductions have been general in every part of the Union, in due proportion to the facilities heretofore extended to the different States respectively.

The rule which requires this resolution to lie on the table one day being dispensed with, it was read, considered, and agreed to.

On motion of Mr. Casey,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Shelbyville, in Shelby county, by Walker's settlement, to East Nelson, in said county, State of Illinois.

On motion of Mr. Rariden,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of reporting and passing a joint resolution authorizing the Commissioner of the General Land Office, upon proper cases made out, to issue duplicate bounty-land warrants where the originals have been lost or destroyed.

On motion of Mr. White, of Indiana,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of amending so much of the act "making appropriations for the improvement of certain harbors therein mentioned, for the year one thousand eight hundred and thirty-six, and for other purposes," approved July 4, 1836, as prescribes the plan for constructing the harbor at Michigan city, so as to authorize the Secretary of War to determine the plan of the same.

On motion of Mr. Boon,

Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of abolishing the duty on alum salt.

On motion of Mr. Ewing,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of changing the mail route from Greencastle, Putnam county, to Bowling Green, Clay county, Indiana, so as to pass from Manhattan, through the town of Pleasant Garden, in said county of Putnam; also, into the expediency of providing fixed uniform rules for the government and guidance of the Post Office Department, in the establishment of post offices, in lieu of a discretionary power now exercised upon this point.

Mr. Ewing presented a petition of inhabitants of the State of Indiana, praying the establishment of a post route from Washington, by Zelig's bridge and Edwardsport, to Carlisle, in said State; which petition was referred to the Committee on the Post Office and Post Roads.

On motion of Mr. Johnson, of Louisiana,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of making a grant of land to the State of Louisiana, to aid in the construction of the various works of internal improvements passing through the lands of the United States, in which the said State is engaged.

Mr. Rice Garland moved the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the Postmaster General be directed to communicate to this House who was the postmaster at Monroe, in the State of Louisiana, on the 1st day of August, in the year 1838, and for six years previous, and who is the postmaster at that office at this time; and if any change has been made, when it was made; that he also communicate whether or not Bernard Hempkin, during the time he was in office, conducted the business in a faithful, methodical, and correct manner; also, that he (the said Postmaster General) do communicate to this House all the documents, letters, or papers, of any kind, addressed to him or any of his subordinates, relating to the removal of said Bernard Hempkin from office, (if he has been removed,) and the appointment of his successor.

On motion of Mr. Sheplor,

Resolved, That the Committee on the Post Office and Post Roads be, and they are hereby, instructed to inquire into the expediency of establishing a mail route from Bethlehem, in Stark county, Ohio, by way of Medina, to Illyria, in Loraine county.

On motion of Mr. Hamer,

Resolved, That the Committee on Naval Affairs be instructed to inquire into the expediency of establishing a hydrographical bureau in the Navy Department.

Mr. Calvary Morris moved the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the Secretary of the Treasury be directed to inform this House whether the fourth instalment of the surplus revenue has been deposited with the several States, as provided by the act of Congress, approved June 23, 1836, and the payment of which was, by an act of Congress approved October 2, 1837, postponed until the 1st day of January, 1839; and if not, why it is withheld contrary to law.

Mr. Corwin presented a petition of inhabitants of the county of Highland, in the State of Ohio, praying the establishment of a post route from Sinking Spring, by Marshall, to Hillsborough; which petition was referred to the Committee on the Post Office and Post Roads.

On motion of Mr. Goode,

Resolved, That the Committee on Private Land Claims be instructed to inquire into the expediency of so amending the Senate bill now before them, for the relief of Allen Hamilton, Hiram Todd, and Cyrus Tabor, as to insert the name of Jacob Haas, so as to entitle him to the provisions of said bill.

On motion of Mr. Goode,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of reporting a bill authorizing the State of Ohio to purchase the United States alternate section on the Miami canal, in the State of Ohio, and on so much of the Maumee canal as lies in the State of Ohio, at two dollars and fifty cents per acre.

Mr. Christopher H. Williams, of Tennessee, moved the following resolution:

Resolved, That the Secretary of War be directed to report to this House the manner of the expenditure of the hundred and fifty thousand dollars appropriated during the last session of Congress for the erection and repair of arsenals on the Western waters, and to specify the particular expenditure on each.

The said resolution was read; and the rule which requires the same to lie on the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Maury,

Resolved, That the Committee of Claims be instructed to inquire into the expediency of so amending the law allowing compensation for horses or other property delivered over to the United States by the volunteers in Florida, as to embrace cases in which such delivery was made without the order of the commanding general or other commanding officer.

On motion of Mr. Maury,

Resolved, That the Committee of Claims be instructed to inquire into the expediency of extending the provisions of the third section of an act approved March 1, 1837, entitled "An act making appropriations for the support of the army for the year 1836, and for other purposes," to all the companies of volunteer mounted men whose services were accepted by the Governor of Tennessee, and who were called into service under requisitions from the Secretary of War, or from generals commanding the troops of the United States, at any time during the year 1836.

On motion of Mr. Cheatham,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of so amending the law in relation to the franking privileges of members of Congress, as to curtail the privilege to sixty days before and after the rise of each session of Congress; and, further, to inquire into the expediency of curtailing and limiting the exercise of the franking privileges of the various officers of the Executive departments.

On motion of Mr. Turney,

Resolved, That the Committee on Revolutionary Claims be instructed to inquire into the expediency of providing by law for the payment of commutation pay to the heirs of Captain Stephen Merritt, and that said

committee also inquire into the expediency of providing by law for the payment of commutation pay to the heirs of Captain Jiles Raines, and that the accompanying papers be referred to said committee.

On motion of Mr. Joseph L. Williams, of Tennessee,

Resolved, That the Committee on Revolutionary Pensions inquire into the expediency of repealing the act of Congress of the 6th of April, 1838, which provides, in certain cases, for the payment of pensioners at the Treasury Department.

On motion of Mr. Southgate,

Resolved, That the claims of Milus W. Dickey, and James H. McClure Co., be referred to the Committee of Claims.

Mr. Sherrod Williams submitted the following resolutions, viz :

Resolved, That it was the object and intention of the framers of the constitution, and the expectations of the people, that the Congress of the United States should make and enact laws for the general good and welfare of the nation, and to promote the prosperity and happiness of the people ; and whereas, instead of making and enacting laws for the general good and welfare of the nation, and to promote the prosperity and happiness of the people, the Congress of the United States seems to be assembled for the purpose of obtaining power for those who are out, and of retaining power for those who are in office, thereby contravening the great object and intention of the framers of the constitution, and the just expectation of the people : Therefore,

Be it resolved, That we proceed to the despatch of the public and private business of the nation and the people, by enacting such laws as will redound to the best interests of the nation, and by the passage of such bills for private claimants as justice and right demand.

Resolved, further, If it is intended not to act upon the public and private business for which we were assembled, but only to remain here for the purpose of making speeches, that Congress ought to be forthwith adjourned, and that the people should hereafter elect members to Congress who will work more and talk less.

The said resolution was read ; when,

A motion was made by Mr. McClure that it lie on the table ; whereupon,

The question of consideration was moved by Mr. John Quincy Adams, And on the question, Will the House consider the said resolution ?

It was decided in the negative, { Yeas, 70,
 { Nays, 93.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. James Alexander, jr.
Charles G. Atherton
Bennet Bicknell
Isaac H. Bronson
Andrew Buchanan
Zadok Casey
John Chaney
Richard Cheatham
William K. Clowney
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Isaac E. Crary

Mr. Samuel Cushman
Thomas Davee
Edward Davies
Edmund Deberry
John I. De Graff
Franklin H. Elmore
James Farrington
Isaac Fletcher
Albert Gallup
Patrick G. Goode
Hiram Gray
John K. Griffin
Elisha Haley
Thomas L. Hamer

Mr. Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
William Herod
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.

Mr. Henry Logan
James J. McKay
Abraham McClellan
William Montgomery
William S. Morgan
Samuel W. Morris
Calvary Morris
William H. Noble
William Parmenter
Virgil D. Parris

Mr. David Petrikin
William W. Potter
John H. Prentiss
John P. Richardson
Daniel Sheffer
Matthias Sheplor
William W. Southgate
James B. Spencer
William Stone

Mr. Henry Swearingen
John Taliaferro
George W. Towns
Henry Vail
Abraham Vanderveer
Taylor Webster
Joseph Weeks
Sherrod Williams
Jared W. Williams.

Those who voted in the negative are—

Mr. John Quincy Adams
Hugh J. Anderson
J. Banker Aycrigg
Linn Banks
William Beatty
Richard Biddle
Ratliff Boon
Nathaniel B. Borden
John C. Brodhead
William B. Calhoun
John Campbell
William B. Carter
John Chambers
Reuben Chapman
Jesse F. Cleveland
Thomas Corwin
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
George C. Dromgoole
George H. Dunn
George Evans
Horace Everett
Richard Fletcher
Millard Fillmore
Jacob Fry, jr.
Rice Garland
William Graham

Mr. Seaton Grantland
William J. Graves
George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
Ogden Hoffman
Hopkins Holsey
William H. Hunter
Robert M. T. Hunter
Daniel Jenifer
Henry Johnson
William Coats Johnson
John P. Kennedy
Hugh S. Legare
Arphaxad Loomis
Francis S. Lyon
Francis Mallory
Richard P. Marvin
James M. Mason
Samson Mason
William J. May
Robert McClellan
Charles McClure
Thomas M. T. McKennan
Richard H. Mepefee
Charles F. Mercer
John L. Murray
Charles Naylor
Joseph C. Noyes
Amasa J. Parker

Mr. James A. Pearce
Luther C. Peck
Lancelot Phelps
David Potts, jr.
Zadock Pratt
James Rariden
John Reed
Joseph Ridgway
Francis E. Rives
John Robertson
Edward Robinson
David Russell
Leverett Saltonstall
Samuel T. Sawyer
John Sergeant
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Mark H. Sibley
Adam W. Snyder
Archibald Stuart
Francis Thomas
Isaac Toucey
Albert S. White
Lewis Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Archibald Yell
Thomas Jones Yorke.

Mr. Graves moved the following resolution, viz :

Resolved, That the bill of this House proposing a purchase by the Government of stock held by individuals in the Louisville and Portland canal, be made the special order for Tuesday, the 29th instant, from and after one o'clock.

The said resolution was read ; and the question was put that the House do agree thereto,

And passed in the negative.

Mr. Underwood moved the following resolution:

Resolved, That the Secretaries of State, of War, of the Navy, and of the Treasury, be respectively directed to inform this House whether the reports of the standing committees of either House of Congress are recognised by the accounting officers in their Departments as a proper foundation upon which to allow a claim against the Government, after the same has been rejected ; and how many claims, if any, have been allowed, within the last two years, in consequence of such reports, after the same have been first rejected by the proper accounting officers.

The said resolution was read ; and the rule which requires the same to

lie on the table one day being dispensed with, it was considered and agreed to.

Mr. Underwood moved the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the Secretaries of State, of War, of the Treasury, and of the Navy, and the Postmaster General, be directed to report to this House, at as early a day as practicable, the number and salaries of the clerks and other persons employed in their respective departments and offices at the commencement and end of the presidency of General Jackson.

Mr. Pope submitted the following; which was read, and committed to the Committee of the Whole House on the state of the Union, viz :

Whereas, according to the clear intent and meaning of the 7th section of the 1st article of the constitution of the United States, which provides that all bills for raising revenue shall originate in the House of Representatives; and the 9th section of the same article, which provides that no money shall be drawn from the Treasury, but in consequence of appropriations made by law; the control and safe-keeping of the public moneys belong to the representatives of the people: therefore,

1. *Resolved*, That a law ought to be passed by Congress to divorce the public purse from the custody and control of the President and all officers removable at his pleasure, and to provide that no money shall be drawn from the Treasury or places designated for the deposit and security of the public money, either by the mandate of the Executive or the Judiciary.

2. That the public Treasury ought to be made independent of the Executive and Judicial departments, and subject only to the control of the Legislature.

3. That the Treasurer of the United States ought to hold his office, not at the pleasure of the President, but during his good behaviour, and the term for which he may be appointed, subject to removal only by impeachment, or upon the address of a majority of the House of Representatives and the Senate.

4. That all the officers to be employed or concerned in the collection or receipt of the public revenue, whose compensation does not exceed the sum of ——— dollars, ought to be appointed by the Treasurer of the United States, removable by him for reasonable cause, to be reported to Congress at their next session; but the expression of political opinion, without partisan violence or unbecoming interference in elections, ought not to be deemed cause for removal; and fitness, integrity, and good behaviour ought to be the essential requisites in a public officer.

5. That the public dues ought to be paid to the keepers or depositaries of the public money designated by Congress, or under their authority, instead of the collectors and receivers, as now authorized by law.

6. That the guardianship and control of the public money assigned by the constitution to the Legislature has long been held by the enlightened friends of freedom in England and the United States as the best and only effectual security to the liberties of the people, and that all laws necessary and proper ought to be passed to maintain inviolate this essential and only barrier to corrupt administration and arbitrary power.

On motion of Mr. Harlan,

Resolved, That the Committee on Revolutionary Claims inquire into

the expediency of allowing the claim of Lewis Webb for services as an officer in the war of the Revolution.

On motion of Mr. Menefee,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of granting pensions to James Hughes, of Montgomery county, Kentucky, and James Christy and Archibald Ramsey, of Morgan county, Kentucky; and of increasing the pensions of John Chadwick, of Greenup county, Kentucky, Joseph Smothers and Thomas Lewis, of Morgan county, Kentucky, John Beatty, of Montgomery county, Kentucky, and Robert Kinkead, of Bath county, Kentucky; all soldiers of the Revolution.

Mr Haynes presented several joint resolutions of the General Assembly of the State of Georgia, viz :

First. Requiring the Senators and requesting the Representatives from that State in the Congress of the United States to apply to the proper authorities to have established a mail route (three times a week) from Augusta, in said State, to Tuscaloosa, in Alabama; to be carried on the Georgia railroad to its western terminus, thence in four-horse coaches.

Second. Requesting the said Senators and Representatives to procure the establishment of a direct mail route from Milledgeville to Rossville.

Third. Requesting the said Senators and Representatives to have a mail route established from Double Wells, on the Georgia railroad, to Washington, in Wilkes county; thence to Clarksville, by Elberton.

Fourth. Requesting the said Senators and Representatives to have a mail route established from Clarksville, by Habersham, to Clayton, in Rabun county; also, from Perry's mills, in Tattnall county, to Eden, in Effingham county; also, from Hawkinsville to Troupville.

Fifth. Requesting said Senators and Representatives to procure the establishment of a mail route from the city of Augusta, by Waynesboro', Swainsboro', Mount Vernon, Lumber city, Jacksonville, Troupville, and Thomasville, in Georgia, to Tallahassee, in Florida.

Ordered, That said resolutions be referred to the Committee on the Post Office and Post Roads.

On motion of Mr. Dawson,

Resolved, That the Secretary of War be instructed to report to this House, the correspondence between that Department and General John W. A. Sanford, as agent of the Creek Indians west of the river Mississippi, including that part of said correspondence touching the supplies purchased by the officers of Government for said Indians, and how said supplies were disposed of, and by whom, and why; also, the correspondence between said agent and that Department in relation to the missions among said Indians.

Resolved, further, That said Department be instructed to communicate to this House, how the supplies purchased by the Government for the army, and sent to the Cherokee country during the past year, after the discharge of said army, were disposed of; the quantity of said supplies sold by the order of the Government; for how much they were sold, and by whom; and the instructions under which said supplies were sold, and such other information, touching the disposition of said supplies, which the Secretary may think important to be known to this House; and especially whether any order issued from that Department requiring said supplies to be sold for specie or Treasury notes, and in what kind of funds

were said supplies purchased for the Government; whether in the bills of the State banks, or specie and Treasury notes.

The said resolutions were read; and the rule which requires the same to lie on the table one day being dispensed with, they were considered and agreed to.

On motion of Mr. Towns,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of reporting a bill making it the duty of postmasters, upon the deposit of letters containing money, bills of exchange, or other valuable papers, to be forwarded by the due course of mail, to give a certificate or receipt for the same.

Mr. Towns presented a joint resolution of the General Assembly of the State of Georgia, instructing the Senators and requesting the Representatives of that State in Congress to urge the immediate adjustment and settlement of claims for horses, the property of volunteer soldiers of Nelson's brigade, lost in the campaign of that brigade, in Florida, and in its marches to and from Florida; which resolution was referred to the Committee on Military Affairs.

Mr. Holsey presented a joint resolution of the General Assembly of the State of Georgia, instructing the Senators and requesting the Representatives of that State in Congress to exert themselves to have compensation made to such persons that had their crops burnt and their property destroyed by the United States troops south of Wales's line; which resolution was referred to the Committee of Claims.

On motion of Mr. Grantland,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of making provision by law, during the present session, for the payment of the troops called into service by the Executive of the State of Georgia, to repel the invasion of the Indians in the neighborhood of the Okafinoka swamp, and the expenses incident thereto; and that a letter from the Governor of Georgia to the delegation from the State, enclosing one from the acting Secretary of War on that subject, be referred to the same committee.

Mr. Campbell, of South Carolina, moved the following resolution, viz:

Resolved, That the Secretary of War be requested to communicate to this House whatever information may be in his possession in relation to the late pursuit and capture of certain reputed Indian refugees and murderers within the territory recently relinquished by a part of the Cherokee tribe of Indians; also, whether the reported execution of one or more of the said Indians, under the sentence of an Indian council, held within the limits of one of the States of this Union, with the approbation of an officer of the United States army, is true; and if true, by what authority, if any, the said officer acted.

The said resolution was read; and the rule which requires the same to lie on the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Campbell, of South Carolina,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Marion court-house, in South Carolina, by Potato-bed ferry, to Conway-borough, in the same State.

Mr. Elmore submitted the following resolutions, viz :

1. *Resolved*, That the several States composing the United States of America are not associated on the principle of unlimited submission to the Federal Government, or to the Houses of Congress, or either of them; but that, by the constitution, the people of said States constituted one General Government for special purposes, and delegated to that Government certain definite powers, only reserving, each State to itself, the residuary mass of right to their own self-government; that, while the constitution and laws of the United States do attach to the whole people of the several States immediately in those matters within the true jurisdiction and confines of said constitution, and in the modes limited and defined thereby, yet, in all other matters, the said States retain, each, all its rights and powers under its own sovereign and separate control; that, to this constitution each State acceded, as a separate sovereign State, and is an integral party, and, in its capacity of a sovereign State, is represented in Congress by its Senators duly appointed; that, among the residuary rights so by each State reserved, is that of freely and fully expressing its opinions on all subjects delegated to the Federal Government, or touching the infraction of the constitutional compact, and of communicating the said opinions to Congress; and that it is the constitutional duty of the Senate and of the House of Representatives respectfully to receive, entertain, and consider, and maturely and deliberately to decide upon, all such communications addressed to it by either of the States of this Union; and the summary rejection of the same, without their being debated, printed, or referred, or any action whatever had thereon, would be insulting to the honor and injurious to the rights and interests of the said sovereign States of the Union.

2. *Resolved*, That the Federal Government is a government of limited and specific powers, derived from the people of the States thereby confederated and united, and to said Government by them granted, under the constitution; that all powers not delegated to the said United States by the constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people; that, therefore, no right of any denomination can be cancelled, abridged, restrained, or modified by the Congress, by the Senate or House of Representatives acting in any capacity, by the President, or any department or officer of the United States, except in the instances wherein power is given by the constitution for those purposes; and that, among other imprescriptible and essential rights, the freedom of conscience, of speech, of the press, and the right of the people peaceably to assemble and to petition the Government for a redress of grievances, are of the original and innate immunities of the said people of the United States; rights of theirs not derived from or to be weakened by the common or any other positive law of this or any other country, but inherent in the said people as people, and, under the constitutions of the several States, by and to the said people guaranteed and consecrated forever; and which, by reason thereof, cannot be cancelled, abridged, restrained, or modified constitutionally, by any of the United States whatsoever; nor in any form of law, whether the same be the act of the two Houses of Congress, or of either of them separately. But the same were thus guaranteed in order to protect the citizen against the abuse of power, and not as the means of assailing the rights of others; and that, to permit one or more States or their citizens

to convert them into an instrument, not of protection, but of assault against the reserved rights or institutions and peace of the other States or their citizens, or of the Territories, and of this District and their citizens, would be a manifest violation of the constitutional compact, a gross breach of the public faith, tending to convert the brotherly love in which the constitution originated into rancorous hatred, and, if not effectually arrested, must subvert the Union itself; and that this body owes a most solemn obligation to itself, and the people of the States which it represents, not to permit itself to be made an instrument or party to an attempt so flagitious and dangerous.

3. *Resolved*, That the people of the United States did ordain and establish the constitution thereof, in order, amongst other things, to form a more perfect union, establish justice, ensure domestic tranquillity, and to secure the blessings of liberty to them and their posterity; that, to this end the powers of legislation were vested in representative and deliberative assemblies, to wit: a Senate, appointed by the States, and a House of Representatives, chosen by the people of the States; that, in the exercise of their rights by the said House of Representatives and the members thereof, there should be perfect equality and full scope, as far as consistent with the proper conducting of the business of the House, on all subjects within its constitutional jurisdiction, but, to permit the members of this House, under the pretext of the freedom of debate, to convert it into a hall to discuss questions beyond its jurisdiction, and to denounce and attack the domestic institutions of a portion of these States essential to their peace, security, and tranquillity, and the property of their citizens, existing before and expressly guarantied by the constitution itself, would be destructive of all harmony among the members of the body, incompatible with the discharge of its acknowledged duties, and destructive of the great and avowed objects for which the constitution was framed, this Union created, and this House instituted.

4. *Resolved, therefore*, That the resolution of the House of Representatives adopted on the 12th day of December last, which provides that every petition, memorial, resolution, proposition, or paper of a prescribed class, shall, on the presentation thereof, without any further action thereon, be laid on the table without being debated, printed, or referred, rests on great and fundamental principles of the constitution, and on public faith and honor; the observance of which is essential to the peace, tranquillity, and security of the States which compose the confederacy, and the safety and continuance of the Union; and that this House, in adopting the said resolution, has but fulfilled its constitutional obligations and duties, without in anywise infracting the legitimate limits of the right of petition, the freedom of debate, or the constitutional equal rights of the members of this body.

The said resolutions were read; and debate arising thereon, they were laid over, under the rule.

Mr. Montgomery moved the following resolutions, viz:

Resolved, That the public lands belonging to the United States are a remainder of a joint common stock belonging to the people of the United States and Territories, that may and should be disposed of by Congress among the rightful owners by some equitable plan of distribution.

Resolved, That the Select Committee of this House, consisting of twenty-six members, one chosen from each State, be instructed to prepare and

report to this House some plan for an equitable distribution of the public lands, or their proceeds, among the rightful owners.

Debate arising on these resolutions, they were laid over, under the rule.

On motion of Mr. Lewis Williams,

Resolved, That the Committee on the Post Office and Post Roads be directed to inquire into the expediency of establishing a post road from Chappel's cross-roads to Jonesville, in Surry county, North Carolina.

On motion of Mr. Augustine H. Shepperd,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of establishing a pension agency at Salem, North Carolina.

On motion of Mr. McKay,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of either prohibiting officers of the United States from selling or exchanging public funds in their hands for the purpose of profit, or of providing that the profit or premium received shall enure to the benefit of the Government.

On motion of Mr. Sawyer,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of prescribing, by law, some limitation to claims against the Government of the United States; and also, to prohibit the prosecution of any claim after it has been once rejected, except upon additional testimony.

On motion of Mr. Sawyer,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of establishing buoys in the waters of Pamlico, Croatan, and Albemarle sounds, and Chowan river.

On motion of Mr. McKay,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of permitting agricultural publications, in the magazine, pamphlet, or other form, to be conveyed by mail free of postage, or chargeable with newspaper postage only.

On motion of Mr. Hopkins,

Resolved, That a select committee be appointed to inquire into the expediency and practicability of divorcing, by law, the patronage of the Federal Government, in all its departments, from the public press, by prohibiting, in future, any officer thereof, in his official capacity, from employing any conductor of a political journal, or others in any way connected with such journal, to execute any portion of the public printing; and that the said committee be authorized and instructed to report thereon by bill or otherwise.

Mr. Hopkins, Mr. Grantland, Mr. Richardson, Mr. Rumsey, and Mr. Prentiss of New York, were appointed a select committee in pursuance of said resolution.

Mr. Craig submitted the following resolution, viz :

Resolved, That the first Tuesday in February next be set apart for the consideration of the House bill (No. 546) entitled "A bill granting an additional quantity of land for the location of revolutionary bounty-land warrants;" the said bill to take precedence of all other business on that day.

The said resolution was read, and the question was put that the House do agree thereto,

And decided in the negative.

Mr. Morgan submitted the following resolution :

Resolved, That from and after Monday, the 21st instant, the hour of the meeting of this House shall be eleven o'clock A. M.

The said resolution was read, and the question was put that the House do agree thereto,

And decided in the negative.

On motion of Mr. Mallory,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Franklin to Somerton, via South Quay, in the county of Nansemond, Virginia.

Mr. Wise moved the following resolution, viz :

Resolved, That the Secretary of the Navy be directed to furnish this House with certain charges heretofore preferred by C. G. Hunter, of the United States navy, against Captain J. D. Elliott, of "most violent, unprovoked, and insulting outrages upon the feelings and rights of said Hunter, on a race-course near Port Mahon, island of Minorca," and of general misconduct while commander-in-chief of the Mediterranean squadron; and to furnish the reasons, if any, why the Department has not heretofore ordered a court of inquiry to sit upon said charges against said Elliott; and to furnish, also, copies of the proceedings of the two courts of inquiry which were ordered to try certain charges preferred by said Elliott against said Hunter, upon which said Hunter was acquitted, and upon which the charges of said Hunter against said Elliott were founded.

The rule which requires this resolution to lie on the table one day was suspended by a vote of two-thirds; when the House proceeded to the consideration of said resolution;

And, on the question being put, it was agreed to by the House.

In pursuance of notice given on the 11th instant,

Mr. Mercer asked leave to introduce a bill to alter the mode of appointing certain officers of the United States, and for other purposes; and leave being given,

Mr. Mercer introduced said bill; which was read the first and second time, and was ordered to be referred to a select committee.

Mr. Mercer, Mr. Williams of North Carolina, Mr. Bronson, Mr. Pope, Mr. Kennedy, Mr. Mason of Ohio, and Mr. Biddle, were appointed said select committee.

On motion of Mr. Mason, of Virginia,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing the following post routes in Virginia, viz :

From Ridgeville, on the northwestern turnpike road in Hampshire county, to Hazard forge, and thence, by Williamsport, to Ridgeville, and from Ridgeville to Shultz mill, in same county, and thence by Paddytown to Ridgeville.

Mr. Coles moved the following resolution, viz :

Resolved, That the Secretary of War be directed to communicate to this House a statement showing the number of Indians annually removed from the eastern to the western side of the Mississippi from 1789 to 1838, inclusive, with the quantity of land annually purchased of the Indians, the sums of money annually paid to the Indians, and the quantity of land

granted each year for common schools, roads and canals, colleges and universities, and to the States, public institutions, and individuals during the same period.

The rule which requires this resolution to lie on the table one day being dispensed with, it was read, considered, and agreed to.

Mr. Robertson, of Virginia, moved the following resolution, viz :

Resolved, That the first Friday in February next be set apart for the consideration of House bill No. 546, entitled " A bill granting an additional quantity of land for the location of revolutionary bounty land warrants ;" the said bill to take precedence of all other business on that day.

The question was put, Will the House agree to this resolution ?

And passed in the negative.

On motion of Mr. Hunter, of Virginia,

The House, by consent, proceeded to the consideration of the resolution submitted by him on the 8th of January instant, in relation to the mode of collecting and disbursing the public revenue ; and the said resolution being read and modified by the mover, was agreed to by the House, and is as follows :

Resolved, That a select committee be appointed to inquire into the expediency of reporting a bill which shall provide—

1. That all money hereafter to be received by the United States for customs shall be paid on four certain days, fixed at intervals of three months. The duties required by existing laws to be paid in cash, to be secured by bonds with approved sureties, bearing interest at the rate of six per centum per annum from its date until paid, and payable at the next fixed quarterly day, unless it bears date within twenty days of that period, in which case it is to be payable on the next succeeding day fixed for payments to the United States. But, if the importer be entitled to credit under the existing laws, the sum due is to be diminished by a discount, at the rate of six per centum, for the time through which the said credit extends, and the sum thus ascertained to be secured by bond as aforesaid under the limitations above prescribed.

2. That all debts due from the United States shall be made payable, as far as practicable, on four certain days, occurring at intervals of three months, and fixed at not more than twenty days respectively after the days fixed as aforesaid for payment to the United States. These debts, in all cases where practicable, to be made payable at the next day of disbursement, unless incurred within twenty days of that time ; in which case, to be payable at the second succeeding day fixed for that purpose. But, if the public creditor should fail to present his claim at the place at which it is payable when due, or within — days of that time, then the United States to be absolved from all responsibility for any failure in the disbursing agent at that place to pay the said creditor : *Provided, however*, That the said agent and his sureties shall be liable, in their individual capacities, to pay to the said creditor any sums received for his use upon demand and without interest.

3. That all requisitions on the Treasury Department by other departments of this Government, for sums to be disbursed at the next day fixed for that purpose, shall be made at least twenty days before the day fixed for public receipts, and next succeeding that of the requisition.

4. That the Secretary of the Treasury, after a comparison of the liabilities to and from the Government, at the next succeeding days of receipt and disbursement, shall ascertain the probable surplus which will be

due to the United States upon the next quarterly day of receipt, after collecting what will be sufficient to discharge the debts due from the Government at the next disbursing day, together with whatever sum may be needful as a cash surplus for emergencies of the Department not otherwise provided for. The debtors of the United States to be entitled to an extended credit upon the surplus thus ascertained, upon their giving bonds with approved sureties, bearing interest as aforesaid up to the quarterly day of receipts next succeeding that at which the original bond was due. Each public debtor offering security as aforesaid to be entitled to this further credit upon an equal proportion of his debt, which proportion is to be specified by public advertisement of the Secretary of the Treasury at least twenty days before the next succeeding day of receipts. But all bonds given for the surplus as aforesaid to be wholly collected at the next quarter, when due, before any portion is demanded of those bonds given when the debt for duties was incurred.

Mr. Hunter of Virginia, Mr. McKay, Mr. Briggs, Mr. Elmore, Mr. Ogle, Mr. Moore, Mr. Calhoun of Kentucky, Mr. Williams of New Hampshire, and Mr. Martin, were appointed a committee in pursuance of said resolution.

Mr. Taliaferro submitted the following joint resolution for amending the constitution of the United States, viz :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both Houses concurring,) That the following amendments to the constitution of the United States be submitted to the Legislatures of the several States, which, when ratified by the Legislatures of three-fourths of the States, shall form a part of the constitution of the United States, any thing therein to the contrary notwithstanding, to wit :

1st. That from and at the adoption of this amendment, the term for which the then Senate of the United States shall have been elected shall cease; the several States shall proceed to elect Senators to serve four years, and in all time thereafter, to elect Senators to serve four years, and no longer, in the Senate of the United States; the elections to be made in the same manner as is now prescribed by the constitution of the United States.

2d. That, upon the first meeting of the Senate, under an election in pursuance of the foregoing amendment, the Senators shall be divided into two classes by lot; and the term of service of one class shall cease at the expiration of two years, so that a moiety of the Senate shall be elected every two years thereafter.

3d. That the term of service of the President and Vice President of the United States shall be four years, and that the same individual shall not be elected to those offices, respectively, two terms in succession.

4th. That the assent of the President of the United States to bills passed by the two branches of Congress be dispensed with.

5th. That the power of the President of the United States to remove from office, and to fill vacancies thus created, is not a power conferred on him by the constitution expressly, or by necessary construction of any power delegated to him by that instrument.

6th. That the only provision made in the constitution of the United States for removal from office, is the process of impeachment; and that the clause in that instrument which vests in Congress the authority to pass all laws necessary to carry into effect all the powers vested by the con-

stitution in the Government of the United States, or any department thereof: it shall therefore be required of Congress to provide for and to regulate by law all that concerns the removal from office, or the filling of vacancies in the office which may happen during the recess of the Senate.

7th. That all appointments to office, except such as may be otherwise directed by law, shall be made by the Senate *viva voce*, on nomination by a member of that body.

8th. That it shall be the duty of the President of the United States to commission all the officers to be appointed under the Government, whether civil, military, or naval; and to express in each commission the term of service of the officer, as the same shall be prescribed by law or the constitution of the United States.

Ordered, That the said resolution be committed to the Committee of the Whole House on the state of the Union.

Mr. Garland, of Virginia, presented a petition of Nicholas L. Martin, of Nelson county, in Virginia, executor of his father, Hudson Martin, deceased, praying the allowance of five years' full pay as the commutation of half pay for life to which the said Hudson Martin was entitled as a lieutenant in the revolutionary army; which petition was referred to the Committee on Revolutionary Claims.

In pursuance of notice given on the 11th instant,

Mr. Samson Mason asked leave to introduce a bill to repeal the second section of "An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office," approved July 7, 1838: and leave being granted,

Mr. Mason introduced the said bill; which was read the first and second time, and referred to a select committee.

Mr. Mason of Ohio, Mr. Bond, and Mr. Hamer were appointed said committee.

Mr. Dromgoole moved the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the rules of this House be so amended as to substitute the *viva-voce* vote of the members in all cases in which the ballot is at present required.

Mr. Mallory presented a petition of William B. Bingley, praying additional compensation for the site sold by him to the United States for a dry dock at Gosport, in Virginia; which petition was referred to the Committee on Naval Affairs.

Mr. Mallory presented additional documents in support of the following cases, to wit:

Of Elizabeth Pierce, widow of Stephen Pierce;

Of the heirs of Robert Watkins;

Of Sarah Ingram;

Of Josiah Melvin, heir-at-law of David Rogers, a colonel in the Virginia continental line of the army of the Revolution;

which documents were referred to the Committee on Revolutionary Claims.

On motion of Mr. Howard,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of providing by law that all vessels employed in the merchant service of the United States shall be obliged to have on board one or more boys as apprentices, in proportion to the tonnage of the vessel.

Mr. Howard presented a memorial of the Board of Trade of the city of

Baltimore, suggesting the propriety of passing a law requiring all American vessels of one hundred tons and upwards to take as a part of their crew one or more boys, according to their tonnage, either as apprentices or hired; and that no vessel be permitted to clear without her complement of boys; which memorial was referred to the Committee on Commerce.

Mr. Jenifer moved the following resolution, viz:

Resolved, That the Committee on the Public Buildings be instructed to inquire into the expediency of making compensation to Samuel Atchinson for an injury sustained whilst at work on the public buildings.

The said resolution was read; and debate arising thereon, it was laid over, under the rule.

Mr. Kennedy submitted the following resolution, viz:

Resolved, That a select committee be appointed to inquire into the expediency of establishing a naval school or academy for the education of young men intended for the naval service of the United States; and that said committee be authorized, if they should deem it proper, to report a plan for the organization of such an academy, the most eligible site for the same, and such other matters relating thereto as they may think necessary to be brought to the consideration of this House.

The said resolution was read; and the question was put that the House do agree thereto, and decided in the negative.

Mr. Milligan presented a petition of inhabitants of the State of Delaware, residing in the county of Newcastle, praying that an ice-harbor may be constructed at Delaware city, on the Delaware river, for the protection of vessels navigating that river; which petition was referred to the Committee on Commerce.

Mr. Petrikin moved the following resolution, viz:

Resolved, That the Secretary of the Treasury be directed to communicate to this House a statement showing the amount of money expended annually by each administration in the Government, from the 4th of March, 1789, to the 4th of March, 1837; with the amount of public money lost annually by defalcations of public officers; designating what amount has been lost by collectors, receivers, and disbursing officers within the same periods; also, the number of public officers annually in the employment of the United States under each of said administrations, with the number who have embezzled the public money committed to their charge; showing, in like manner, the amount of public money lost annually by using banks as depositories, or receiving their notes in payment of public dues.

The said resolution was read; and the rules which require the same to lie upon the table one day being dispensed with, it was considered and agreed to.

Mr. Potts moved the following resolution, viz:

Resolved, That the Secretary of the Treasury be directed to furnish this House with a tabular statement showing the quantity and description of iron, whether for railroads, steamboats, or for other purposes, which has been imported free of duty, or on which the duty has been remitted since the first day of January, 1832, together with the names of the person or persons importing the same, and the amount of the revenue which would have accrued to the Government had the duties been regularly charged thereon.

The said resolution was read; and the rule which requires it to lie upon the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Keim,

Resolved, (the Senate concurring herein,) That the joint committee on the Smithsonian bequest be instructed to inquire into the propriety of establishing a professorship of the German language, as a part of the literary instruction in the intended Smithsonian institute.

Mr. Darlington moved the following resolution, viz :

Resolved, That the Secretary of War be directed to communicate to this House any examination or survey that may have been made of the harbor of Marcus Hook, on the river Delaware, in the State of Pennsylvania, under the direction of the Chief Engineer; together with an estimate of the sum of money necessary for repairing and improving said harbor.

The rule which requires this resolution to lie on the table one day being dispensed with, it was read, considered, and agreed to.

Mr. Henry moved the following resolution, viz :

Resolved, That bill No. 696, reported last session, and now on the calendar of this House, "to establish a board of commissioners to examine and decide certain claims against the United States," be made the special order of the day for next Friday week, and every succeeding Friday thereafter, until said bill is disposed of.

The said resolution was read; and the question being put that the House do agree thereto,

It passed in the negative.

On motion of Mr. Naylor,

Resolved, That the committee on Naval Affairs be instructed to inquire into the propriety of allowing Mark Hawkesworth the pay of a yeoman during the time he did the duties of that office on board the United States schooner Dolphin, to wit: from the 4th of November, 1833, to the 20th of November, 1835.

Mr. McClure presented a petition of Joshua M. Foltz, an assistant surgeon in the navy of the United States, praying to be allowed the pay of a surgeon from June 7th, 1836, to March 9th, 1837, during [which time he discharged the duties of that office; which petition was referred to the Committee on Naval Affairs.

Mr. McClure presented a petition of John Steigleman, of Cumberland county, in the State of Pennsylvania, praying to be allowed a pension; which petition was referred to the Committee on Invalid Pensions.

On motion of Mr. McClure,

Resolved, That the Committee on Revolutionary Claims be instructed to inquire into the expediency of reporting a bill allowing commutation pay to Captain John Smith, of Cumberland county, Pennsylvania, whose papers were mislaid by the said committee after agreeing to report in favor of his claim at the last session of Congress.

Mr. Davies presented a petition of Rachel Fox, of the city of Lancaster, Pennsylvania, widow of William Fox, a soldier of the Revolution, praying for a pension in consideration of the services of her husband, and of a wound and insult inflicted upon himself in the time of the revolutionary war; which petition was referred to the Committee on Revolutionary Claims.

Mr. Sergeant presented a memorial of merchants and others of the city of Philadelphia, interested in the commerce of Delaware bay, praying a dividend of the district of Delaware, so as to constitute Newcastle a port of entry for the southern district thereof; which memorial was referred to the Committee on Commerce.

Mr. Sergeant presented a memorial of the president and directors of the Chesapeake and Ohio Canal Company, praying an improvement of the harbor at the mouth of the canal in the Delaware bay; which memorial was referred to the Committee on Roads and Canals.

On motion of Mr. Logan,

Resolved, That five thousand extra copies be printed of the report of the Select Committee on a National Foundry.

Mr. Aycrigg submitted the following resolution:

Resolved, That the Secretary of the Navy be directed to cause to be laid before this House, seven hundred and fifty copies of the chart of Newark bay, and of the sand-bars in the vicinity of said bay, recently surveyed by Lieutenant Gedney.

The rule which requires this resolution to lie on the table one day being dispensed with, it was read, considered, and agreed to.

Mr. Randolph submitted the following resolution, viz:

Resolved, That the Secretary of War be required to furnish this House with a statement of the contracts entered into by the engineer superintending the improvements of Little Egg harbor, under the several appropriations made for that purpose; also, copies of said engineer's accounts, with a tabular statement of the quantity and kind of the materials (and the prices of the same) used in the work, together with the names of the persons to whom any part of said appropriations have been paid, and the amounts paid to them respectively; and, also, that the Secretary of War inform the House of the mode of improvement adopted by said engineer, and wherein it differs from the mode originally proposed for the improvement of said harbor, as well in the cost and permanency of the same as in the manner of construction; and whether the partial destruction of the improvements by storms, and the cost of the same beyond the original estimate, are not owing in a great measure to the departure of the said engineer from the plan of improvement originally proposed, or if not, to what cause the same may be attributed.

The rule which requires this resolution to lie on the table one day being dispensed with, it was read, considered, and agreed to.

On motion of Mr. Yorke,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making an appropriation for the construction of a road from the light-house at Cohansey point, on the Delaware bay, to the main land.

On motion of Mr. Bronson,

Resolved, That the Committee on Roads and Canals be instructed to inquire into the expediency of making an appropriation for the following purposes:

To construct a road from Jacksonville, Mississippi, to the river St. Mary's, in Florida;

To build a bridge over the bayou between Pensacola and the navy yard;

And, also, into the propriety of diverting the appropriation made by law for the construction of a common road from St. Augustine to Picolata, and repairing the bridge over the St. Sebastian, from said purpose, and of authorizing its use by the railroad company on the same route.

Mr. Bronson accompanied the foregoing resolution with three memorials, viz:

1. A memorial of the city council of St. Augustine, in Florida, against diverting an appropriation of seventeen thousand dollars, made at the last

session of Congress, for the construction of a bridge and repair of the causeway across the St. Sebastian river, and the repair of the military road from St. Augustine to Picolata, for the benefit of a railroad company lately organized between St. Augustine and Picolata;

2. A memorial of citizens of East Florida, for an appropriation to construct a road from Jacksonville, by Panama-stream saw-mill, Nassau river, to St. Mary's;

3. A memorial of citizens of St. Augustine, in the Territory of Florida, in favor of diverting the before-mentioned appropriation of seventeen thousand dollars from the repair of the road from St. Augustine to Picolata, to the use of the railroad company between those points;

which memorials were referred to the Committee on Roads and Canals.

On motion of Mr. Fillmore,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of authorizing accurate surveys and charts to be made of such parts of lakes Ontario, Erie, Huron, Michigan, and Superior, and the rivers and straits connecting the same, and the bays and harbors thereof, as lie within the boundaries of the United States.

On motion of Mr. Parker,

Resolved, That the Committee on the Judiciary be instructed to report a bill allowing costs to be taxed against the United States in all suits commenced by the United States in which verdicts shall be given in favor of the defendants, and in which the United States, if successful in the suits, would recover costs against the defendants.

Mr. Gallup presented a petition of officers of the line of the United States army, praying that the line of the army may be placed upon an equal footing with the several staff corps; which petition was referred to the Committee on Military Affairs.

Mr. Gallup presented a petition of John M. King, of the city of Albany, in the State of New York, a soldier in the war of 1812 with Great Britain, praying for bounty land; which petition was referred to the Committee on Revolutionary Claims.

On motion of Mr. Jones, of New York,

Resolved, That the Committee on Commerce be instructed to inquire into the propriety of authorizing the purchase of a suitable number of copies of "Jones's Digest and Tariff" for the use of officers connected with the customs.

Mr. Jones, of New York, moved the following:

Resolved, That the President of the United States be requested to communicate to this House whether any, and, if any, what proceedings have been had in relation to the requirements of the act of Congress approved June 28, 1838, providing for examinations of useful inventions designed to detect the cause of and prevent the explosion of steamboat boilers.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

Mr. Peck submitted the following resolution, viz:

Resolved, That the Secretary of War be directed to communicate to this House whether the annuities due the Seneca Indians in the years 1837 and 1838 have been paid; and if so, at what time, and in what manner, and by whom the same were paid; and whether any goods have been paid or offered to be paid to said Indians on account of any such annuity; and if so, by what authority the same were paid or offered to be paid; and if the said annuities, or any portion thereof, re-

main unpaid, or were not paid at the time when the same became due, the reason why the payment thereof was delayed ; and, also, to communicate to this House copies of all correspondence in relation to the same since the 19th day of March last.

Resolved, That he also furnish this House with a detailed statement of the "expenses of the delegation of Senecas of New York, opposed to the treaty," amounting to \$789 23, and the "expenses of the delegation of Indians in favor of the treaty," amounting to \$9,500 ; and the "expenses of submitting the treaty to the several bands of New York Indians," amounting to \$4,000 ; and, also, the "expenses of certain Indian delegations," amounting to \$2,630, as contained in a report from the Indian department, accompanying the President's message ; particularly specifying in each case the names of the persons to whom the money was paid ; the amount to each ; the time when paid ; and the services or other thing for which paid.

The rule which requires these resolutions to lie on the table one day being dispensed with, they were read, considered, and agreed to.

On motion of Mr. Titus,

Resolved, That the Committee on Manufactures be instructed to inquire into the expediency of an explanatory act in relation to the provisions of the second clause of the second section of the act to alter and amend the several acts imposing duties on imports, approved July 14, 1832, and of the fourth section of the act to modify the act of July 14, 1832, and all other acts imposing duties upon imports, approved March 2, 1832.

Mr. Loomis submitted the following resolution, viz :

Resolved, That the Postmaster General be directed to report to the House of Representatives, at the commencement of the first session of the next Congress, a modification of the present rates of postage, to take effect at such future time as may be expedient, having reference—

1st. To the greatest amount of benefit to be attained at the least expense ;

2d. To the relative proportion and difference which ought to exist between the rates of postage on manuscript parcels and printed parcels ;

3d. To the equalization of the rates of postage on printed and on manuscript parcels, each with reference to its own class, and in proportion to the entire expense of the care and transmission of the same.

The rule which requires this resolution to lie on the table one day being dispensed with, it was read, considered, and agreed to.

On motion of Mr. Russell,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of establishing a marine hospital at Whitehall, in the county of Washington and State of New York.

On motion of Mr. Childs,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of providing by law for filing in the office of the clerk of the supreme court of the State of New York, a transcript of all judgments rendered in the district courts of the United States for the State of New York.

On motion of Mr. Taylor,

Resolved, That the Committee on Revolutionary Claims be instructed to inquire into the expediency of restoring Job Hawkins, of Dutchess county, in the State of New York, to the pension-list.

On motion of Mr. Pratt,

Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of reporting a bill directing the Secretary of the Treasury to furnish all the banks from which he may require returns of their condition, with blank copies, so as to ensure uniformity in such returns.

On motion of Mr. McClellan, of New York,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the propriety of granting a pension to Naney Williams, widow of David Williams, one of the captors of Major Andre.

On motion of Mr. Curtis,

Resolved, That the communications made to this House by the Secretary of the Treasury, relating to the defalcation of Samuel Swartwout, late collector of the port of New York, in compliance with the two resolutions of this House adopted on the 31st December last, which communications, among other things, express the opinion of the Secretary of the Treasury, in respect to the manner in which the late naval officer of the port of New York discharged the duties of his office, and from which communications, among other things, it also appears that the official surety bond for the second term of office of said Swartwout, commencing in March, 1834, required by law to be filed within three months thereafter, was not filed with the Comptroller of the Treasury until the year 1837, be added to and printed with document 13, relating to the same subject, heretofore ordered to be printed.

On motion of Mr. De Graff,

Resolved, That the Committee on Foreign Affairs be instructed to inquire into the expediency of allowing compensation to William D. Jones, Esq., the American consul at the city of Mexico, for services rendered during his residence at that place.

Mr. Allen, of Vermont, presented a resolution adopted by the General Assembly of the State of Vermont; which is as follows, to wit:

Resolved by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives be requested, to use their influence in obtaining the passage of a law for a more thorough organization of the militia of the United States, and that provision be made for arming, equipping, and disciplining said militia, at the expense of the General Government.

On motion of Mr. Allen, of Vermont,

Resolved, That the Committee on Roads and Canals be instructed to inquire into the expediency of causing a survey of the sand-bar in lake Champlain, between the towns of Milton and South Hero, for the purpose of erecting a bridge on said bar, between said Milton and South Hero.

Mr. Hall moved the following resolution:

Resolved, That the Secretary of War be directed to inform this House what amount of claims has been adjusted and paid under the provisions of the third section of the act of July 5, 1832, for liquidating and paying certain claims of the State of Virginia during each of the fiscal years since the passage of said act; what rule of evidence and principles of action have been adopted by the Department in adjusting said claims; whether judgments obtained by the claimants in the courts of Virginia are or have been received by the Department as evidence of the validity

of such claims; and, if so, by what rule or order of the Department; what amount of such judgments have been paid; and on what species and character of evidence, and on what rules and principles, the said courts proceed in adjudicating such claims. And that the Secretary of the Treasury be directed to inform this House what amount of scrip has been issued under the provisions of the act of May 30, 1830, for satisfying Virginia bounty land warrants; what quantity, in acres, of such warrants presented at the Treasury before the 1st day of September, 1835, and what quantity presented since that day, remain unsatisfied; whether any spurious or fraudulent warrants have been presented at the Treasury, and of what kind and character; and whether any and what amount of scrip is known or believed to have been issued upon such spurious or fraudulent warrants. And that he also communicate any information in his possession showing under what acts and resolutions of the State of Virginia, and on what species and character of evidence, and on what rules and principles, the executive officers of that State have granted the land warrants for the satisfaction of which provision is made in the act aforesaid.

The said resolution was read; and the rule which requires the same to lie upon the table being dispensed with, it was considered and agreed to.

Mr. Everett moved the following resolution, to wit:

Resolved, That the Secretary of War be directed to lay before this House a statement of all allowances made prior to the 30th June, 1834, as an annual compensation for the services of superintendents of Indian affairs, who were such in virtue of holding the office of Governor or Secretary of any of the Territories of the United States; exhibiting the name of the person to whom made, his office, (whether Governor or Secretary,) the name of the Territory, the period for which the allowance was made, the rate per annum, and the amount allowed to each; and also to state under what law or regulation such allowances were made.

The said resolution was read; and the rule which requires the same to lie upon the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Toucey,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of confirming the estate of all persons claiming an interest in land by a title originating under a Spanish grant, permit, or order of survey, and derived from conveyances which have been executed in good faith and for a valuable consideration subsequent to an act of Congress relinquishing the title of the United States to such land, notwithstanding it may since have been ascertained that the original grant, permit, or order of survey upon which such act was predicated, was antedated or fraudulent.

Mr. Ingham moved the following resolution, viz:

Resolved, That the Secretary of the Treasury be instructed to communicate to this House a copy of so much of "Hassler's survey" as relates to the harbor of New Haven, Connecticut.

The said resolution was read; and the rule which requires the same to lie upon the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Haley,

Resolved, That the Committee on Revolutionary Pensions be instructed

to inquire into the expediency of placing the name of Griswold Avery, a revolutionary soldier, on the pension-roll.

On motion of Mr. Haley,

Resolved, That the Committee of Claims be instructed to inquire into the expediency of allowing the claim of Doctor Thomas Cot for arrears on short pay as surgeon's mate while stationed at Fort Trumbull, in New London, Connecticut.

Mr. Haley presented a petition of John Porter, of Tolland county, in the State of Connecticut, praying for a pension in consideration of services rendered in the army of the United States in the year 1780; which petition was referred to the Committee on Invalid Pensions.

Mr. Tillinghast submitted the following; which was read, and committed to the Committee of the Whole House on the state of the Union, viz:

Whereas examinations and surveys have heretofore been made in the Narraganset bay, in Rhode Island, with a view to military and naval establishments, and reports have been made to the Navy Department and communicated to Congress, containing evidence of the fitness and advantages of a place upon the waters of that bay for a naval depot:

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That the Secretary of the Navy, as soon as may be, cause such further examinations and surveys to be made as are in his opinion necessary for ascertaining the fitness and the relative advantages or disadvantages of a place in the said Narraganset bay for a naval establishment, yard, and depot, on shore, and the best location thereof in said bay, with estimates of probable expense; and that said estimates and the reports of said examinations and surveys, when made, and all such evidence as is now or may then be in possession of his Department as to such fitness and advantages or disadvantages, be by the said Secretary communicated to Congress as soon as may be, with such views and opinions as he may deem important.

Resolved, further, That, for carrying this resolution into effect, there be now appropriated, and there is hereby appropriated, the sum of one thousand dollars, out of any money in the Treasury not otherwise appropriated.

On motion of Mr. Tillinghast,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of providing, by an appropriation, for the removal of obstructions to navigation in Providence river, at and near the port of Providence and Pawtuxet.

Mr. Reed moved the following resolutions, viz:

Resolved, That the Secretary of the Treasury be directed to lay before this House a statement showing the amount of money received yearly, for five years past, by each of the collectors of customs of the United States and others, on account of fines and forfeitures; and that he also inform this House whether any compromises have been effected during the said period after seizures made; and, if so, by whom, and upon what condition.

Resolved, That the Secretary of the Treasury be directed to lay before this House the amount of money received, as fees, or in any other way, by any officer of the Government, or other person in the custom-house, or its employment, each for five years past, which has not been recorded in the Blue Book.

On motion of Mr. Fletcher, of Massachusetts,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of amending the act passed in 1836, in addition to former acts, so as to make provision for the widows and children of the officers and soldiers of the Revolution who died or were wounded in the service.

On motion of Mr. Saltonstall,

Resolved, That the report and plan of the survey of the harbor of Lynn, Massachusetts, with an estimate of the cost of the improvements of the same, communicated to the House of Representatives by the Secretary of the War on the 9th day of March last, be taken from the files, and referred to the Committee on Commerce; and that said committee be instructed to inquire into the expediency of making an appropriation for the said improvements.

Mr. Lincoln moved the following resolution, viz :

Resolved, That the Secretary of the Treasury be directed to inform this House what is the present amount of indebtedness to the United States, (if any,) of the Commonwealth, Franklin, and Lafayette Banks, severally and respectively, in the city of Boston, in the State of Massachusetts; and in what manner, and to what extent, the debt due from each of said banks is secured; and if the debts of said banks heretofore reported to Congress have been paid, at what times, and in what manner, the payments were made; and whether the debt heretofore reported to be due from John K. Simpson, late pension agent in the city of Boston, has been paid, or secured to the United States; and if paid, how or when; or if secured to be paid, by what suretyship of persons or assurance of property; and what measures have been taken on behalf of the United States to obtain security or payment of any amount which may be due from said Commonwealth, Franklin, and Lafayette Banks, and the estate and sureties of the said John K. Simpson, respectively.

The said resolution was read; and the rule which requires the same to lie on the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Cushing,

Resolved, That, for the purpose of relieving the whole people of the United States from the inconvenience attending the present relation of the Federal Government to the Federal domain, and at the same time securing to the old and the new States alike their just and lawful rights therein, the Select Committee on the Public Lands be instructed to consider the expediency of providing for the division of the said domain among the several States of the Union, according to the following principles, viz :

1. To ascertain the quantity of said domain of which the title is complete in the United States by the extinction of the Indian occupancy, distinguishing the respective States or Territories in which the same is, and classifying the same according to its quality or value.

2. To fix and establish a just and equitable rule or ratio for measuring the interest of the several States, respectively, in the said domain, allowing, so far as may be, equalized shares thereof in quantity and in value, to each and all of the said States; the whole subject, however, to the reservations in favor of the new States now existing by law.

3. To make partition of said domain among the individual States, by

cession and assignment from the United States to the said respective States in severally, and in equalized shares, so as above limited, measured, and ascertained.

4. To distribute and apportion said shares in such wise that the share ceded and assigned to any of those of the States in which the said domain partly lies, shall consist in part or in whole of lands within its own State limits; thus immediately extinguishing the title of the United States therein so far forth, and vesting the same in the said State.

5. To arrange and apportion the said shares, so that the interest in the soil of any one State to be acquired by any other State or States in virtue of said partition and cessions, shall be confined to one or more the smallest number of such other States, consistent with observance of the assumed equal ratio of distribution.

6. To regulate and define by organic law incorporated in the acts of cession, the relative rights and powers over the lands assigned to one State within the limits of another, which shall be possessed and exercised by each of the said States.

7. To make, repeat, and continue the said equal partition of the Federal domain, by successive graduated allotments, under the direction of Congress, until the whole interest of the United States therein be completely extinguished and vested in the several States.

On motion of Mr. John Quincy Adams,

Resolved, That the powers of Congress being conferred by the constitution of the United States, no resolution of this House can add to or deduct from them.

Mr. John Quincy Adams presented a petition of Anne Royall, widow of William Royall, deceased, who was an officer of the army of the Revolution, praying to be allowed a pension; which petition was referred to the Committee on Revolutionary Pensions.

Mr. Cushman presented a petition of Nathaniel S. Waldron, praying compensation for services rendered the United States in suppression of the late Indian hostilities in Florida; which petition was referred to the Committee on Naval Affairs.

Mr. Cushman presented a petition of Alice Downing, of Newmarket, in New Hampshire, widow of Jonathan Downing, praying for a pension, in consideration of the revolutionary services of her husband; which petition was referred to the Committee on Revolutionary Pensions.

On motion of Mr. Williams, of New Hampshire,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of extending the mail route now terminating at Pingryville, New Hampshire.

Mr. Evans submitted a joint resolution for the relief of John Morrison, acting lieutenant in the battle on lake Champlain, during the late war; which resolution was read, and referred to the Committee on Naval Affairs.

On motion of Mr. Noyes,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of reporting a bill-making an appropriation for the perfecting a road, required for use as a military road, along the North-eastern frontier of the United States, from the town of Eastport to the town of Houlton, both in the State of Maine, as recommended in the re-

port of General John E. Wool and Major James D. Graham, of the United States army, made to the Department of War December 29, 1838.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting a printed statement of the receipts and expenditures of the United States for the year 1837; prepared in pursuance of the order of the House of Representatives of December 30, 1791; which letter and statement were laid on the table.

The Speaker laid before the House the annual report of the Commissioner of Patents, of the affairs of the Patent Office for the year 1838, showing the number of patents issued; the number expired; the receipts of the office; the expenditures for the restoration of models, and the ordinary expenditures of the office; which report was laid on the table.

On motion of Mr. Carter,

Resolved, That the Committee on the Post Office and Post Roads be and are hereby instructed to inquire into the expediency of establishing a mail route from Rogersville, via Grassy Springs and Russellville, to the mouth of Chucky river, in the State of Tennessee, and establish a post office at Grassy Springs and Russellville.

On motion of Mr. Yell,

Resolved, That the Committee on the Public Lands be instructed to inquire into the propriety of reviving the act of 1820, authorizing the soldiers of the late war to surrender their military bounty lands where they are unfit for cultivation, and to select others in lieu thereof.

Mr. Haynes presented a petition of citizens of Murray county, Georgia, praying for the establishment of a mail route from Spring-place, in Georgia, to Cleveland, in Tennessee; which petition was referred to the Committee on the Post Office and Post Roads.

Mr. Mercer presented a petition of officers of the army of the United States, praying that the *line of the army* may be placed on an equal footing with the several *staff corps*; which petition was referred to the Committee on Military Affairs.

Mr. Mercer presented a petition of William Newton, an invalid pensioner, who was disabled in the service of the United States on the 11th of September, 1814, praying for an increase of his pension.

On motion of Mr. Petrikin,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of bringing in a bill prohibiting any clerk or other officer of either House of Congress, or any person holding any office or appointment under the Government of the United States, acting as agent or attorney in the prosecution of any claim against the Government of the United States, during the pending of said claim before either House of Congress, or before any of the Departments, agents, or officers of the Government.

Mr. Howard presented a petition of James Power, of Baltimore, in Maryland, praying that he may be allowed to exchange his property in Baltimore for lands in the West belonging to the United States.

Mr. Graham, of North Carolina, moved the following resolution, viz:

Resolved, That the Secretary of State be instructed to inform this House who are employed, at this time, by the Federal Government as printers to publish the laws of the United States in the State of North Carolina; and what compensation they each receive in payment for their services.

The rule which requires this resolution to lie on the table one day being dispensed with, it was read, considered, and agreed to.

Mr. Hamer presented a petition of citizens of Brown county, in the State of Ohio, praying for the establishment of a mail route from the town of Felicity to Clark's mill; which petition was referred to the Committee on the Post Office and Post Roads.

Mr. Chapman, of Iowa, presented a copy of an act of the Territorial Legislature of the Territory of Wisconsin, passed on the 12th of January, 1838, entitled "An act to incorporate the stockholders of the banks of Racine and Iowa;" which act was referred to the Committee on the Territories.

On motion of Mr. Word,

Resolved, That the Secretary of War be requested to communicate to this House, at as early a day as convenient, what number of Choctaw claims for reservations under the 14th article of the treaty of Dancing Rabbit creek has been examined by the board of commissioners appointed under the act of the 3d of March, 1837; what number of applications has been made for examination, and not yet examined; and, also, all information in the possession of the Department relating to the claims of the Choctaws under the article of the treaty above mentioned; together with all information touching the contingent locations made by George W. Martin, and the instructions or authority under which said locations were made.

Mr. Giddings presented a petition of inhabitants of Chester township, in Geauga county, in the State of Ohio, praying for additional mail facilities; which petition was referred to the Committee on the Post Office and Post Roads.

Mr. Rariden presented a petition of citizens of the State of Indiana, praying for the establishment of a post route from Cambridge city to Muncy town, in said State; which petition was referred to the Committee on the Post Office and Post Roads.

Mr. Tillinghast presented a petition of citizens of Pawtuxet, in the State of Rhode Island, praying for an appropriation for removal of obstructions in Pawtuxet harbor, in said State; which petition was referred to the Committee on Commerce.

On motion of Mr. Robertson, of Virginia,

Resolved, That the Select Committee on Public Lands be instructed to inquire into the propriety of reporting a bill providing for the division of the public domain on the following principles: That hereafter the Secretary of the Treasury shall cause separate accounts to be kept of all moneys paid into the Treasury on account of sales of the public lands; that the Secretary of the Treasury be directed to ascertain the quantity of public lands heretofore granted to, or bestowed on, the States, or any of them, for education, internal improvement, or other State or local purposes; and having ascertained the value thereof, computing the same at an average price of _____ per acre, and added thereto the sums arising from proceeds of sales of the said lands granted to, or bestowed on, them for similar purposes, shall, on _____, and thereafter, semi-annually, on the first day of January and July in every year, divide all proceeds arising from sales of said lands among the several States of the Union, in the ratio of their federal numbers, as ascertained by the census next preceding such division, making the first apportionment among those States which have not received any part, or a proportionate part, of the ratio aforesaid, until each shall have received its due proportion; and all subsequent apportionments

among all the States, according to the said ratio: *Provided, nevertheless*, That nothing herein contained shall be construed to prohibit the appropriation of the proceeds of the public lands to meet the expenditures of the Government for any year in which the receipts from customs or other sources of revenue shall be estimated to fall below millions of dollars, and when it shall be deemed proper, on that account, to apply the said proceeds, by special appropriation, to meet the necessary expenditures of the Government: *Provided, also*, That, in the event of war between the United States and any foreign Power, the said semi-annual division shall cease and be suspended during the continuance of such war. And then, at four o'clock, the House adjourned until to-morrow, twelve o'clock meridian.

TUESDAY, JANUARY 15, 1839.

Mr. Cambreleng submitted to the House a letter from the Secretary of the Treasury to the Committee of Ways and Means, accompanied by a report to him of the First Comptroller of the Treasury, "in relation to the operation of the existing revenue laws, and on the expediency of some further act of legislation explanatory of the intention of Congress in regard to certain descriptions of goods;" which letter and report were ordered to lie on the table.

Mr. Cambreleng also submitted to the House a letter from the Secretary of the Treasury, transmitting a copy of a communication received from the Director of the Mint at Philadelphia, containing explanations of the estimates submitted by him for the expenses of the Mint and branches for the year 1839; which letter and report were laid on the table.

Mr. Saltonstall, from the Committee of Claims, made a report on the petition of the heirs at law of James Maglenen, accompanied by a bill (No. 1035) for the relief of the said heirs; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Saltonstall, from the Committee of Claims, made an unfavorable report on the petition of Samuel Kerr; which report was ordered to lie on the table.

Mr. Casey, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 42) entitled "An act for the relief of John Newton," reported the same without amendment.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

Mr. Shields, from the Committee on the Public Lands, made an unfavorable report on the petition of sundry citizens of Madison county, in the State of Alabama, in behalf of Elisha Moreland, William M. Kennedy, Robert J. Kennedy, and Mason E. Lewis; which report was ordered to lie on the table.

Mr. Word, from the Committee on the Public Lands, to which was referred, on the 20th of December ultimo, a memorial of the Legislature of the State of Mississippi, reported a bill (No. 1036) to confirm certain purchases of public lands in the State of Mississippi, under the act of the 19th of June, 1834; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Loomis, from the Committee on the Public Lands, to which was re-

ferred the bill from the Senate (No. 37) entitled "An act to change the location of the office of Surveyor General of the district composed of the States of Ohio, Indiana, and Michigan," reported the same with an amendment.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

Mr. Loomis, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 51) entitled "An act for the relief of Jean B. Valle," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Turney, from the Committee on the Judiciary, to which was referred the bill from the Senate (No. 26) entitled "An act to amend an act entitled 'An act to require the judge of the district of East and West Tennessee to hold a court at Jackson in said State,' approved June 18, 1838," reported the same with amendments; which amendments were read, and agreed to by the House.

Ordered, That said amendments be engrossed, and that the bill be read a third time to-day.

The amendments being engrossed, the bill was read a third time, and passed; and the title was amended, by adding thereto "and for other purposes."

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Martin, from the Committee on the Judiciary, to which was recommended the bill (No. 491) to reorganize the district courts of the United States in the State of Alabama, reported the said bill with amendments; which were read, and agreed to by the House.

Further amendment was then proposed to said bill; when it was,

On motion of Mr. Martin,

Ordered, That the said bill be recommitted to the Committee on the Judiciary.

Mr. Loomis, from the Committee on the Public Lands, reported the following resolution; which was read, viz:

Resolved, That the Secretary of the Treasury prepare and report to this House, as soon as conveniently may be done, statements showing—

1. The whole amount of public lands to which the Indian title has been extinguished; the amount surveyed; the amount granted for bounties and public service; the amount ceded to States and Territories, and granted and reserved for the purposes of education, for roads, canals, and all other special or local objects; and the amount sold.

2. The entire cost to the Government of all the public lands to which the Indian title has been extinguished, and of the care and sale of the same, as near as the same can be ascertained and estimated, including the pay and compensation and expenses to the Government of all persons employed; the amount paid and obligated to be paid for the extinguishment of Indian title, accounting annuities at such sums as invested at five per cent. would produce them, and excluding the purchase-money for cessions from foreign governments, and the expenses of Indian wars; and the like amount including the purchase-money paid for the acquisition of lands and territories from foreign governments.

3. The quantity of lands that have remained unsold by the latest returns, after having been in market for the space of each of the periods, five years, ten years, fifteen years, and twenty years; and the quantity sold

after having been in market for each of the same periods ; and the quantity thrown into market each year ; and the quantity sold during each year.

The rule which requires this resolution to lie on the table one day being suspended by a vote of two-thirds, the House proceeded to the consideration thereof ; when

A motion was made by Mr. Yell to amend the same, by striking out the third inquiry ; which motion was disagreed to by the House.

The question was then put that the House do agree to the resolution ; And passed in the affirmative.

Mr. Murray, of Kentucky, from the Committee on the Public Lands, made an unfavorable report on the memorial of the Legislature of the State of Missouri, asking that the amount of money collected by rents from the lead-mines may be returned to the counties respectively in which the lead was obtained ; which report was ordered to lie on the table.

On motion of Mr. Fletcher, of Vermont,

Ordered, That the report from the Commissioner of the Patent Office, received yesterday, be referred to the Committee on Patents.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting information called for by the House on the 9th of July last, as to the number of clerks employed in replying to the various calls for information which were made by the House at the last session of Congress, and the expense thereof ; which letter was ordered to lie on the table.

The Speaker laid before the House a letter from the Secretary of the Navy, transmitting a copy of the survey and chart of the Southern coast of the United States, from Tybee bar to Hunting island, May river, directed by the act of Congress of the 3d of March, 1837, with a view to the practicability of establishing a naval depot within the waters embraced in the survey ; which letter and accompanying documents were laid on the table.

Mr. Boon presented a petition of citizens of the county of Gibson, in the State of Indiana, praying a donation in land to aid in the construction of a railroad from Mount Carmel, in Illinois, to New Albany in Indiana ; which petition was referred to the Committee on Roads and Canals.

Mr. Boon presented a similar petition of citizens of the town of Petersburg and the county of Pike, in the State of Indiana ; which was also referred to the Committee on Roads and Canals.

The House resumed the consideration of the message of the President of the United States of the 8th of December, communicated on the 10th, in relation to the recently-discovered default of Samuel Swartwout, late collector of the customs at the port of New York.

The question recurred on the motion made by Mr. Thomas on the 9th of January instant, to amend the amendment moved by Mr. Garland, of Virginia, on the 8th instant, to the motion made by Mr. Cambreleng, by striking out the word "*ballot*," and inserting the words "*viva voce*."

And, after further debate,

The House, at three-quarters past four o'clock, adjourned until to-morrow at twelve o'clock meridian.

WEDNESDAY, JANUARY 16, 1839.

A motion was made by Mr. Dromgoole that the rules in relation to the order of business be suspended, and that the House do proceed to the consideration of the resolution moved by him on the 14th instant, and laid on the table, under the rule; and which is in the words following, viz:

Resolved, That the rules of this House be so amended as to substitute the *viva-voce* vote of the members in all cases in which the ballot is at present required.

On motion of Mr. Wise, a call of the House was then ordered.

And, the roll being called, all the members who have appeared at the present session answered to their names, except—

Messrs. Heman Allen, Nathaniel B. Borden, George N. Briggs, Andrew Buchanan, Jesse A. Bynum, John Calhoun, Reuben Chapman, William K. Clowney, Walter Coles, John Dennis, Alexander Duncan, George H. Dunn, James Farrington, Henry A. Foster, Albert Gallup, Rice Garland, Thomas Glascock, Abraham P. Grant, William J. Graves, John K. Griffin, Elisha Haley, William Halsted, Robert H. Hammond, Ogden Hoffman, Hopkins Holsey, William H. Hunter, Samuel Ingham, Daniel Jenifer, John W. Jones, Hugh S. Legare, Daniel P. Leadbetter, Arphaxed Loomis, Richard P. Marvin, Thomas M. T. McKennan, William Montgomery, Ely Moore, George W. Owens, Virgil D. Parris, James A. Pearce, Arnold Plumer, Abraham Rencher, R. Barnwell Rhett, Samuel T. Sawyer, Francis O. J. Smith, Charles C. Stratton, David D. Wagener, John White.

Further proceedings in the call were then, on motion of Mr. Whittlesey, dispensed with;

And the question was put on the motion of Mr. Dromgoole to suspend the rules; when

There appeared, { Yeas, 97,
 { Nays, 93.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
Ratiff Boun
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
C. C. Cambreleng
John Campbell
Zadok Casey
John Chaney
Jesse F. Cleveland
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Isaac E. Crary

Mr. Samuel Cushman
Thomas Davee
Edmund Deberry
John I. De Graff
George C. Dromgoole
Franklin H. Elmore
James Farrington
Isaac Fletcher
Jacob Fry, jr.
James Garland
Seaton Grantland
Hiram Gray
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Joseph Johnson

Mr. Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Dixon H. Lewis
Henry Logan
Francis S. Lyon
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
William Montgomery
William S. Morgan
John L. Murray
William H. Noble
George W. Owens
John Palmer
William Parmenter
Lemuel Paynter
David Pettkin

Mr. Lancelot Phelps
William W. Potter
John H. Prentiss
Luther Reily
John P. Richardson
Francis E. Rives
John Robertson
Daniel Sheffer
Ebenezer J. Shields
Matthias Shepler

Mr. Adam W. Snyder
James B. Spencer
Archibald Stuart
Henry Swearingen
John Taliaferro
William Taylor
Francis Thomas
Obadiah Titus
Isaac Teucey

Mr. George W. Towns
Hopkins L. Turney
Henry Vail
Joseph Weeks
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
J. Banker Aycrigg
John Bell
Richard Biddle
William Key Bond
William B. Calhoun
William B. Campbell
William B. Carter
Richard Cheatham
Timothy Childs
John C. Clark
William K. Clowney
Charles D. Coffin
Robert B. Cranston
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
Edward Davies
John Edwards
George Evans
Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore
Rice Garland
Joshua L. Giddings
Patrick G. Goode
James Graham
William Graham

Mr. William J. Graves
George Gwennell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Henry Johnson
William Cost Johnson
John P. Kennedy
Levi Lincoln
Francis Mallory
Richard P. Marvin
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Matthias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
Luther C. Peck
David Potts, jr.
Zadock Pratt

Mr. Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
John Sergeant
Augustine H. Shappard
Mark H. Sibley
William Stale
Francis O. J. Smith
William W. Southgate
Edward Stanly
William Stone
Charles C. Stratton
Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yocke

Two-thirds not voting in the affirmative, the question was lost.

Mr. Lewis Williams, of North Carolina, laid before the House the following resolutions of the General Assembly of the State of North Carolina, viz :

NORTH CAROLINA.

Resolutions relating to the public domain.

Resolved, That each of the United States, being a party to the national compact, possess an interest in the public land proportioned to the federal population of each, or, in the terms of the compact, according to the usual respective proportion of the general charge and expenditure.

Resolved, That those States in whose favor Congress has not made appropriations of the public domain for the purpose of education, are entitled to such appropriations as will correspond in a just proportion, with those heretofore made in behalf of other States.

Resolved, That this General Assembly do condemn, in the most decided manner, the bill now before Congress proposing to graduate the price of the public lands, as an attempt in disguise to cede them to the States in which they lie, at a mere nominal price.

Resolved, That our Senators and Representatives in the Congress of the United States be requested to urge the claims of the State of North Carolina to her portion of the public land, and to vote against the bill now before Congress proposing to graduate the price of the same.

Resolved, That his excellency the Governor be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress, with a request that they lay them before their respective bodies.

Ordered, That the said resolutions be referred to the Select Committee of twenty-six members appointed on the 29th December ultimo, upon the subject of the public lands.

On motion of Mr. Toucey,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the petition of John McLeran, and that it lie on the table.

On motion of Mr. Corwin,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the petition of Benjamin Heartt, and that it lie on the table.

Mr. Craig, from the Committee on Revolutionary Claims, to which was referred the bill from the Senate (No. 16) entitled "An act for the relief of Sarah Angel, and the other heirs at law of Benjamin King, deceased," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Deberry, from the Committee on Agriculture, made an unfavorable report on the case of Andrew Logan; which report was ordered to lie on the table.

Mr. Parker, from the Committee on Indian Affairs, made an unfavorable report on the case of Robert Johnson, administrator of Louis Roy; which report was ordered to lie on the table.

Mr. McKay, from the Committee on Military Affairs, reported a bill (No. 1037) to amend the act entitled "An act for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for these purposes," approved February 28, 1795; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Dromgoole,

Ordered, That the Committee on Foreign Affairs be discharged from the further consideration of the petition of Charles W. Dabney, and that it lie on the table.

Mr. Howard, from the Committee on Foreign Affairs, to which was referred, on the 14th instant, the message of the President of the United States of the 14th of February, 1837, relative to a claim of the State of New Hampshire for reimbursement of expenses incurred in maintaining jurisdiction over that portion of said State known as "Indian-stream settlement," made a report, accompanied by a bill (No. 1038) for the settlement of the accounts of the State of New Hampshire; which bill was read the first and second time, and committed to a Committee of the Whole House on the state of the Union.

The said report was ordered to be printed, with the map accompanying the same.

Mr. Legare, from the Committee on Foreign Affairs, to which was referred the memorial of the association of Franklin ministers of the Gospel at New Salem, in the State of Massachusetts, praying Congress to take means for the adjustment of national controversies without a resort to war, made a report, recommending that the said committee, for reasons given in a report at the last session of Congress, be discharged from the further consideration of the subject; which motion was agreed to, and the memorial was laid on the table.

On motion of Mr. Morgan,

Ordered, That the Committee on Revolutionary Pensions be discharged from the consideration of the cases of Jane Vreeland and Nehemiah Phillips, and that the said cases do lie on the table.

Mr. Childs, from the Committee on Revolutionary Pensions, made a verbal report against the cases of Catharine Rhodes, Paoli Welis, Patience Smith, James Thompson, Susannah Lilley, Marcy Wilman, and William Lawrence; the said cases were then ordered to lie on the table.

Mr. Whittlesey, from the Committee on Revolutionary Pensions, made a verbal report against the cases of David Goodrich, Abijah Hitchcock, Silvanus Wood, the heirs of Benjamin Chappell, Cornelius Phelps, Edmund Price, Elisha Dillingham, and the heirs of Daniel Starr; the said cases were then ordered to lie on the table.

Mr. Whittlesey, from the Committee on Revolutionary Pensions, to which the subject was referred on the 14th of December on the motion of Mr. Whittlesey, reported a bill (No. 1039) for the benefit of certain widows of revolutionary soldiers; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Fry, from the Committee on Revolutionary Pensions, reported sundry bills, viz:

No. 1040. A bill granting a pension to William Harper;

No. 1041. A bill granting a pension to Mary Updegraff;

No. 1042. A bill granting a pension to Benjamin Price;

which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Joseph Johnson, from the Committee on Revolutionary Pensions, reported a bill (No. 1043) granting a pension to Conrad Widrig; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Joseph Johnson,

Ordered, That the Committee on Revolutionary Pensions be discharged from the consideration of the case of Benjamin Bibbens, and that it lie on the table.

Mr. Mallory, from the Committee on Invalid Pensions, reported two bills, viz:

No. 1044. A bill for the relief of Barton Hooper;

No. 1045. A bill for the relief of Charles Risley;

which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Mallory, from the Committee on Invalid Pensions, made unfavorable reports on the petitions of Betsey Warner, Elias Carpenter, James Taylor, and Samuel Butler; which reports were ordered to lie on the table.

Mr. Allen, of Vermont, from the Committee on Invalid Pensions, made an unfavorable report on the petition of Aden Bartlett; which was read, and committed to a Committee of the Whole House to-morrow.

Mr. Mitchell, from the Committee on Invalid Pensions, made a report on the case of John Keeler, accompanied by a bill (No. 1046) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Allen, of Vermont, from the Committee on Invalid Pensions, made an unfavorable report on the case of David Bartlett; which was read, and laid on the table.

Mr. Sergeant, from the Select Committee upon the subject of steam-engines, reported the following resolution; which was read, and agreed to, viz:

Resolved, That two communications from the Secretary of the Treasury to the committee on steam-engines, and the accompanying papers; the petition of citizens of Pittsburg, in behalf of Cadwallader Evans's invention; and the petition of owners of steamboats at Louisville, be printed.

Mr. Sergeant offered the following resolution; which was read, and, by consent, was considered; and, on the question put, agreed to by the House, viz:

Resolved, That ten thousand extra copies be printed of the report of the Secretary of the Treasury on steam-engines, and of the two communications from the said Secretary this day ordered to be printed.

Mr. Mason, of Ohio, from the committee to which was referred the bill (No. 1034) to repeal the second section of "An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office," approved July 7, 1838, reported the same without amendment.

A motion was made by Mr. Petrikin, that it be committed to a Committee of the Whole House to-morrow; which was disagreed to. It was then

Ordered, That the said bill be engrossed, and read a third time.

A motion was made by Mr. Petrikin, that the said bill be read a third time on Monday next; which was disagreed to, and the bill was then ordered to be read a third time to-day.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed the resolution (No. 29) authorizing an examination and payment of the claims of the workmen on the public buildings. The Senate have also concurred in the amendments of this House to the bill (No. 26) entitled "An act to amend an act entitled 'An act to require the judge of the district of East and West Tennessee to hold a court at Jackson, in said State,' approved June 18, 1838." And then he withdrew.

A message, in writing, was received from the President of the United States, by Mr. Martin Van Buren, jr., his private secretary; which was delivered in at the Speaker's table.

On motion of Mr. Spencer,

Ordered, That the petition of Gates Hoit, presented January 31, 1834, be referred to the Committee of Claims.

The House resumed the consideration of the message of the President of the United States of the 8th of December, communicated on the 10th, in relation to the recently-discovered default of Samuel Swartwout, late collector of the customs at the port of New York.

The question recurred on the motion made by Mr. Thomas, on the 9th of January instant, to amend the amendment moved by Mr. Garland, of

Mr. Samuel T. Sawyer
John Sergeant
Augustine H. Shepperd
Charles Shepard
Francis O. J. Smith
William W. Southgate
Archibald Stuart

Mr. Joseph L. Tillinghast
George W. Toland
Isaac Toucey
Albert S. White
John White
Lewis Williams

Mr. Sherrod Williams
Jared W. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

And, thereupon,

The House adjourned until to-morrow at twelve o'clock meridian.

THURSDAY, JANUARY 17, 1839.

Mr. Saltonstall, from the Committee of Claims, made a report on the petition of John Howe, accompanied by a bill (No. 1047) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Saltonstall, from the Committee of Claims, made an unfavorable report on the petition of William Kilgore; which report was ordered to lie on the table.

Mr. Cushman, from the Committee on Commerce, made an unfavorable report on the petition of Charles Whitmarsh and James Gallison; which report was read, and ordered to lie on the table.

Mr. Casey submitted to the House a letter from the Secretary of War, communicating a letter from the Solicitor of the Treasury, in relation to an application which will be made to Congress by J. B. Beaubien and his associates, for a confirmation of their claim to the military reservation at Fort Dearborn, adjoining the city of Chicago, on lake Michigan; which letter and communication were laid on the table.

Mr. Connor, from the Committee on the Post Office and Post Roads, to which was referred the bill from the Senate (No. 80) entitled "An act further to regulate the transportation of the mail upon railroads," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

The said bill was then read a third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Craig, from the Committee on Revolutionary Claims, to which was recommitted, on the 12th instant, the bill (No. 552) for the relief of the legal representatives of Captain Thomas Triplett, made a report thereon, recommending that the bill do not pass.

Ordered, That the said bill do lie on the table.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined an enrolled resolution (No. 29) authorizing an examination and payment of the claims of the workmen upon the public buildings; also, an enrolled bill (No. 26) entitled "An act to amend an act entitled 'An act to require the judge of East and West Tennessee to hold a court at Jackson, in said State,' approved June 18, 1838," and found the said resolution and bill truly enrolled; when

The Speaker signed the said resolution and bill.

Mr. John Quincy Adams, from the Committee on Manufactures, to which was referred the petition of Isaac Gage, and the petition of citizens of Appalachicola, reported a bill (No. 1049) to authorize the importation, free of duty, of the materials for certain iron vessels; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. John Quincy Adams,

Ordered, That the Committee on Manufactures be discharged from the further consideration of the petition of William Colgate & Co. and others, for a duty on starch, and that the said petition be committed to the Committee of the Whole House to which is committed the bill No. 362, imposing a duty on starch.

Mr. Ingham, from the Committee on Naval Affairs, reported two bills; viz :

No. 1049. A bill for the relief of the widow of John March, deceased;

No. 1050. A bill for the relief of Doctor Joshua M. Foltz;

accompanied by a report in each case : which bills were severally read a first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Ingham, from the Committee on Naval Affairs, reported the following resolution, viz :

Resolved, That the Committee on Naval Affairs be instructed to inquire into the expediency of building five brigs or schooners for the public service; the same having been recommended by the Secretary of the Navy.

The said resolution was read, and agreed to by the House.

On motion of Mr. Hubley,

The House, by consent, proceeded to the consideration of the bill (No. 1012) for the relief of Peters, Moore, & Co., and others; when it was

Ordered, That said bill be engrossed, and read a third time to-day.

A motion was made by Mr. Legare, that the report of the Committee on Foreign Affairs, made yesterday, on the memorial of the Association of Franklin Ministers of the Gospel, at New Salem, in the State of Massachusetts, be printed.

A motion was made by Mr. John Quincy Adams, to amend the said motion, so as to order the said memorial to be also printed;

And, after debate,

The previous question was moved by Mr. Petrikin; and being demanded by a majority of the members present,

The said previous question was put, viz : Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the said report be printed? [the amendment moved by Mr. Adams being set aside by the previous question,]

And passed in the affirmative.

On motion of Mr. Elmore,

The House, by consent, proceeded to the consideration of the resolutions moved by him on the 8th instant, calling on the Secretary of the Treasury for certain information in relation to exports and imports, and as to articles which are imported free of duty; and the said resolutions being read, were agreed to.

The message from the President of the United States, received yesterday, was read; and is as follows :

To the House of Representatives :

I lay before you a communication from the Secretary of War, which is accompanied by one from the Commissioner of Indian Affairs, suggesting the propriety of setting apart a tract of country west of the Mississippi for the Seminole Indians, so that they may be separate from the Creeks;

and representing the necessity of a small appropriation for supplying the immediate wants of those who have been removed: and I respectfully recommend these subjects for the early consideration and favorable action of Congress.

M. VAN BUREN.

WASHINGTON, *January 16, 1839.*

Ordered, That the said message be referred to the Committee on Indian Affairs.

The Speaker laid before the House sundry communications, viz :

I. A letter from the Secretary of War, transmitting the information called for by the House on the 31st December ultimo, in relation to the distribution of arms to the militia of the United States under the act of April 23, 1808; which letter was ordered to lie on the table.

II. A letter from the Secretary of War, transmitting statements of the contracts made by the various offices of the War Department on behalf of the United States in the year 1838; which letter and statements were laid on the table.

III. A letter from the Secretary of State of Vermont, enclosing the credentials of the Vermont delegation for the 26th Congress of the United States; which were ordered to lie on the table.

IV. A letter from the Secretary of the Treasury, transmitting copies of the report and estimates of appropriations necessary to be made for the office of the Surveyor General of Illinois and Missouri, and embracing information as to the condition of the office of the said Surveyor General; which report the Commissioner of the General Land Office recommends to be printed, with his annual report, (heretofore received and ordered to be printed by the House,) which it was intended to accompany.

Ordered, That the said report be committed to the Committee on the Public Lands.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed a bill (No. 1) entitled "An act providing for the reduction and graduation of the price of the public lands;" in which bill I am directed to ask the concurrence of this House.

The Senate have also passed the bill of this House (No. 961) entitled "An act for the relief of Bradbury P. Jipson." And then he withdrew.

Mr. Tillinghast gave notice that he would, to-morrow, move for leave to introduce a bill to allow a drawback of duties on imported hemp when manufactured into cordage and exported.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States an enrolled resolution (No. 29) "authorizing an examination of the claims of the workmen upon the public buildings;" also, an enrolled bill (No. 26) entitled "An act to amend an act entitled 'An act to require the judge of East and West Tennessee to hold a court at Jackson, in said State,' approved June 18, 1838."

The House resumed the consideration of the message of the President of the United States of the 8th of December, communicated on the 10th, in relation to the recently-discovered default of Samuel Swartwout, late collector of the customs at the port of New York.

The question recurred on the motion made by Mr. Thomas on the 9th

of January instant, to amend an amendment moved by Mr. Garland, of Virginia, on the 8th instant, to the motion made by Mr. Cambreleng on the 19th December, by striking out the word *ballot*, and inserting the words *viva voce*;

And, after debate,

The previous question was moved by Mr. Stanly.

A call of the House was moved by Mr. Wise;

And on the question, Shall there be a call?

There appeared, { Yeas, 91.
 { Nays, 90.

The Speaker voted in the negative, by which an equal division was produced, and the question was thereby lost.

A motion was made by Mr. Kennedy, at 5 o'clock, P. M., that the House do adjourn;

And the question being put,

It passed in the negative, { Yeas, 14.
 { Nays, 193.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. J. Banker Ayerigg
Bennet Bicknell
Andrew Buchanan
John Campbell
John Chaney

Mr. Isaac E. Cray
Robert B. Cranston
Franklin H. Elmore
Horace Everett
John P. Kennedy

Mr. David Potts, jr.
William W. Potter
David Russell
Abraham Vanderveer.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Andrew Beirne
John Bell
Richard Biddle
Samuel Birdsall
William Key Bond
Nathaniel B. Borden
James W. Bouldin
Isaac H. Bronson
William B. Calhoun
John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Reuben Chapman
Richard Chestham
Timothy Childs
John C. Clark
Jesse F. Cleveland
William K. Clowney
Charles D. Coffin
Walter Coles
Henry W. Connor
Thomas Corwin
George W. Crabb

Mr. Robert Craig
John W. Crockett
Edward Curtis
Caleb Cushing
Samuel Cushman
Edward Darlington
William C. Dawson
Thomas Davee
Edward Davies
Edmund Deberry
John I. De Graff
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards
George Evans
John Ewing
James Farrington
Richard Fletcher
Mr. Isaac Fletcher
Millard Fillmore
Jacob Fry, jr.
Albert Gallup
James Garland
Rice Garland
Joshua R. Giddings
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
William J. Graves
Hiram Gray
George Grennell, jr.
John K. Griffin

Mr. Elisha Haley
Hiland Hall
Thomas L. Hamer
James Harlan
Albert G. Harrison
Alexander Harper
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
William Herod
Ogden Hoffman
Hopkins Holsey
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Daniel Jenifer
Henry Johnson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingle-Smith, jr.
Levi Lincoln
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory

Mr. Richard P. Marvin	Mr. Lancelot Phelps	Mr. Edward Stanly
James M. Mason	Francis W. Pickens	Archibald Stuart
Samson Mason	John Pope	William Stone
Joshua L. Martin	Zadock Pratt	Henry Swearingen
Abram P. Maury	John H. Prentiss	John Taliaferro
William L. May	Sergeant S. Prentiss	William Taylor
John P. B. Maxwell	Harvey Putnam	Francis Thomas
James J. McKay	James Rariden	Waddy Thompson, jr.
Robert McClellan	Joseph F. Randolph	Joseph L. Tillinghast
Abraham McClellan	Luther Reily	Obadiah Titus
Charles McClure	Abraham Rencher	George W. Toland
Thomas M. T. McKennan	John P. Richardson	Isaac Toucey
Richard H. Menefee	Joseph Ridgway	George W. Towns
Charles F. Mercer	Francis E. Rives	Hopkins L. Turney
John J. Milligan	John Robertson	Joseph R. Underwood
Charles F. Mitchell	Edward Robinson	Henry Vail
William Montgomery	Edward Rumsey	David D. Wagener
Ely Moore	Leverett Saltonstall	Taylor Webster
Calvary Morris	Samuel T. Sawyer	Albert S. White
John L. Murray	John Sergeant	John White
Charles Naylor	Daniel Shaffer	Thomas T. Whittlesey
William H. Noble	Augustine H. Shepperd	Lewis Williams
Joseph C. Noyes	Charles Shepard	Sherrod Williams
Charles Ogle	Ebeneser J. Shields	Jared W. Williams
George W. Owens	Matthias Shepler	Christopher H. Williams
William Parmenter	Mark H. Sibley	Henry A. Wise
Virgil D. Parris	William Slade	Thomas J. Word
Lemuel Paynter	Francis O. J. Smith	John T. H. Worthington
James A. Pearce	William W. Southgate	Archibald Yell
Luther C. Peck	James B. Spencer	Thomas Jones Yorke.
David Petrikin		

A motion was made by Mr. Lewis Williams, of North Carolina, that there be a call of the House; which motion was decided in the negative.

The House then divided on the motion for the previous question; when it was ascertained it was not demanded by a majority of the members present.

A motion was then (at 5½ o'clock) made by Mr. Toucey, that the House do adjourn; which motion was decided in the negative.

The question again recurred on the amendment moved by Mr. Thomas, And, after further debate,

A motion was made by Mr. Howard (at 5½ o'clock) that the House do adjourn; which motion was decided in the negative.

The question then again recurred on the amendment moved by Mr. Thomas to the amendment moved by Mr. Garland, of Virginia, to strike out "ballot," and insert "viva voce;" when

Mr. Wise made a point of order, and stated his point to be, that it was not in order to move the amendment to the amendment, viz: to strike out "ballot" and insert "viva voce," because, by the rule of the House, "all committees shall be appointed by the Speaker, unless otherwise specially directed by the House, in which case they shall be appointed by ballot."

The Speaker decided that it was in order to move the amendment, and that the point raised might be "a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress, as if it were against order;" that if the amendment to the amendment be agreed to by a majority, and the amendment as amended be incorporated into the resolution by a majority, the resolution, in that form, would require, under the 119th rule, which provides, "nor shall any rule be suspended except

by a vote of at least two-thirds of the members present," a vote of two-thirds to pass the same.

From this decision, (that the motion to amend the amendment was in order,) Mr. Wise took an appeal to the House.

And, after debate, the previous question was called by Mr. Harlan, and being demanded by a majority of the members present, the question was put on ordering the main question, and decided in the affirmative.

The main question was then stated, to wit: Shall the decision of the Chair stand as the judgment of the House? when

Mr. Wise withdrew his said appeal.

Mr. Cambreleng then modified his original resolution to read as follows:

Resolved, That the communication from the President of the United States of December 8, 1838, relating to the defalcation of the late collector of the port of New York, except so much as relates to a modification of the revenue laws, be referred to a select committee of nine members, to be appointed by the House *viva voce*, whose duty it shall be to inquire into the causes and extent of the late defalcations of the custom-house at New York and other places; the length of time they have existed; the correctness of the returns which have been made by the collectors and naval and other officers, and the deposit banks, respectively; and all such facts connected with said defalcations as may be deemed material to develop their true character.

Be it further resolved, That said committee be required to inquire into and make report of any defalcations among the collectors, receivers, and disbursers of the public money, which may now exist; who are the defaulters; the amount of defalcations; the length of time they have existed; and the causes which led to them; and that said committee have power to send for persons and papers.

Mr. Wise inquired if the resolution in this form, providing for the appointment of the committee *viva voce*, was in order.

The Speaker decided it to be in order; but that, if the resolution in its modified form be agreed to, it would operate as a suspension of the rule, and would require a vote of at least two-thirds of the members present to pass the same; and that if not passed by a vote of two-thirds, the message of the President would remain the business before the House, subject to be referred to a committee to be appointed by ballot, or to any other disposition which the House might choose to make of it.

The resolution being modified by the mover to read "appointed by the House *viva voce*," the amendments moved to the original resolution by Mr. Garland, of Virginia, and the amendment moved thereto by Mr. Thomas, fell: when

A motion was made by Mr. Marvin to amend the said resolution as modified by the mover, by striking out "*viva voce*," and inserting "by ballot."

And on the question that the House do agree to this amendment,

It passed in the affirmative,	{ Yeas,	113.
	{ Nays,	106.

The yeas and nays being desired by one-fifth of the members present. Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.

Mr. Herman Allen
John W. Allen

Mr. J. Banker Ayer

John Bell

Mr. Richard Biddle
 William Key Bond
 Nathaniel B. Borden
 William B. Calhoun
 John Calhoun
 William B. Campbell
 William B. Carter
 John Chambers
 Richard Cheatham
 Timothy Childs
 John C. Clark
 Charles D. Coffin
 Thomas Corwin
 Robert B. Cranston
 John W. Crockett
 Edward Curtis
 Caleb Cushing
 Edward Darlington
 William C. Dawson
 Edward Davies
 Edmund Deberry
 George H. Dunn
 John Edwards
 George Evans
 Horace Everett
 John Ewing
 Richard Fletcher
 Millard Fillmore
 James Garland
 Rice Garland
 Joshua R. Giddings
 Patrick G. Goode
 James Graham
 William Graham
 Seaton Grantland
 William J. Graves

Mr. George Grennell, jr.
 Hiland Hall
 James Harlan
 Alexander Harper
 William S. Hastings
 Richard Hawes
 Thomas Henry
 William Herod
 Ogden Hoffman
 George W. Hopkins
 Jabez Jackson
 Henry Johnson
 William Coet Johnson
 Hugh S. Legare
 Levi Lincoln
 Francis Mallory
 Richard P. Marvin
 Samson Mason
 William L. May
 John P. B. Maxwell
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 Matthias Morris
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle
 James A. Pearce
 Luther C. Peck
 Francis W. Pickens
 John Pope
 David Potts, jr.
 Sergeant S. Prentiss

Mr. Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 John Robertson
 Edward Robinson
 Edward Rumsey
 David Russell
 Leverett Saltonstall
 Samuel T. Sawyer
 John Sergeant
 Augustine H. Shepperd
 Ebenezer J. Shields
 Mark H. Sibley
 William Slade
 Francis O. J. Smith
 William W. Southgate
 Edward Stanly
 William Stone
 Charles C. Stratton
 John Taliaferro
 Waddy Thompson, jr.
 Joseph L. Tillinghast
 George W. Toland
 Joseph R. Underwood
 Albert S. White
 John White
 Lewis Williams
 Joseph L. Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 Linn Banks
 William Beatty
 Andrew Beirne
 Bennet Bicknell
 Samuel Birdsall
 Ratliff Boon
 James W. Bouldin
 John C. Brodhead
 Isaac H. Bronson
 Jesse A. Bynum
 C. C. Cambreleng
 John Campbell
 Zadok Casey
 John Chaney
 Reuben Chapman
 Jesse F. Cleveland
 Walter Coles
 Henry W. Connor
 George W. Crabb
 Robert Craig
 Isaac E. Crary
 Samuel Cushman
 Thomas Davee
 John I. De Graff
 George C. Dromgoole

Mr. Alexander Duncan
 Franklin H. Elmore
 James Farrington
 Isaac Fletcher
 Jacob Fry, jr.
 Albert Gallup
 Abraham P. Grant
 Hiram Gray
 John K. Griffin
 Elisha Haley
 Thomas L. Hamer
 Albert G. Harrison
 Micajah T. Hawkins
 Charles E. Haynes
 Hopkins Holsey
 Orrin Holt
 Benjamin C. Howard
 Edward B. Hubley
 William H. Hunter
 Robert M. T. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Daniel P. Leadbetter

Mr. Dixon H. Lewis
 Henry Logan
 Aphaxed Loomis
 Francis S. Lyon
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 John Miller
 William Montgomery
 Ely Moore
 William S. Morgan
 John L. Murray
 William H. Noble
 George W. Owens
 John Palmer
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 David Petrikin
 Lancelot Phelps
 William W. Potter
 Zadock Pratt
 John H. Prentiss
 Luther Reilly
 John P. Richardson

Mr. Francis E. Rives
Daniel Sheffer
Charles Shepard
Matthias Shepler
James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor

Mr. Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Abraham Vanderveer

Mr. David D. Wagener
Joseph Weeks
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
John T. H. Worthington
Archibald Yell.

The question was then put that the House do agree to the resolution as amended,

And passed in the affirmative.

And so it was

Resolved, That the communication from the President of the United States of December 8, 1838, relating to the defalcation of the late collector of the port of New York, except so much as relates to a modification of the revenue laws, be referred to a select committee of nine members, to be appointed by the House by ballot, whose duty it shall be to inquire into the causes and extent of the late defalcations of the custom-house at New York and other places; the length of time they have existed; the correctness of the returns which have been made by the collectors, naval and other officers, and the deposit banks, respectively; and all such facts connected with said defalcations as may be deemed material to develop their true character.

Be it further resolved, That said committee be required to inquire into, and make report of, any defalcations among the collectors, receivers, and disbursers of the public money, which may now exist; who are the defaulters; the amount of defalcations; the length of time they have existed; and the causes which led to them; and that said committee have power to send for persons and papers.

A motion was made by Mr. Coffin, that the House do now proceed to ballot for a committee, in pursuance of said resolution.

A motion was made by Mr. Grant, at 6 $\frac{1}{2}$ o'clock, that the House do adjourn; which was decided in the negative.

And the motion to proceed to ballot was agreed to.

And the first ballot being taken and counted, it appeared that Mr. Harlan of Kentucky, Mr. Curtis of New York, Mr. Wise of Virginia, Mr. Dawson of Georgia, Mr. Smith of Maine, and Mr. Ellmore of South Carolina, had each received a majority of the whole number of votes given in; and were chosen members of said committee.

The House then proceeded to a second ballot for the three remaining members of the committee; and the votes being counted, it appeared that Mr. Cushman of New Hampshire, Mr. Hopkins of Virginia, and Mr. Hubbley of Pennsylvania, were also duly chosen members of said committee.

And then, at 10 $\frac{1}{2}$ o'clock, a motion was made by Mr. Dromgoole that the House do adjourn; which motion was decided in the negative.

A motion was then made by Mr. Dromgoole, that there be a call of the House; which was also decided in the negative.

And then, at eleven o'clock, P. M. the House adjourned until to-morrow, twelve o'clock meridian.

FRIDAY, JANUARY 18, 1839.

A message from the Senate, by Mr. Dickens, their Secretary :

Mr. Speaker : The Senate have passed a bill (No. 78) entitled "An act to amend an act entitled 'An act to establish a criminal court in the District of Columbia;'" in which bill I am directed to ask the concurrence of this House.

The President of the United States has notified the Senate that he did this day approve and sign an enrolled bill (No. 26) to amend an act entitled "An act to require the judge of the district court of East and West Tennessee to hold a court at Jackson, in said State," approved June 18th, 1838. And then he withdrew.

A message, in writing, was received from the President of the United States, by Mr. Martin Van Buren, jr., his private secretary; which was delivered in at the Speaker's table.

The President also notified the House that he did, on this day, approve and sign the joint resolution authorizing an examination and payment of the claims of the workmen upon the public buildings.

Mr. Elmore asked to be excused from serving on the Select Committee elected by the House yesterday, upon the subject of defalcations of public officers;

And, after debate,

The previous question was moved by Mr. Elmore, and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall Mr. Elmore be excused from serving on the Select Committee appointed yesterday?

And passed in the affirmative, { Yeas, 118,
 { Nays, 95.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Bennet Bicknell
Samuel Birdsall
Ratliff Boon
John C. Brochhead
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
Zadok Casey
John Chaney
Reuben Chapman
Jesse F. Cleveland
William K. Clowney
Walter Coles
Henry W. Connor

Mr. George W. Crabb
Robert Craig
Isaac E. Crary
Samuel Cushman
William C. Dawson
Thomas Davee
Edmund Deberry
John I. De Graff
George C. Dromgoole
Alexander Duncan
Horace Everett
James Farrington
Isaac Fletcher
Henry A. Foster
Jacob Fry, jr.
Abraham P. Grant
Hiram Gray
John K. Griffin
Elisha Haley
Thomas L. Hamer
Albert G. Harrison
Richard Hawes
Charles E. Haynes

Mr. Hopkins Holsey
Orrin Holt
George W. Hopkins
Benjamin C. Howard
Edward B. Hubley
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
Hugh Legare
Dixon H. Lewis
Henry Logan
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure

Mr. John Miller
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
David Petrikin
Lancelot Phelps
Francis W. Pickens
William W. Potter
Zadock Pratt

Mr. John H. Prentiss
Luther Reily
Abraham Rencher
R. Barnwell Rhett
John P. Richardson
Francis E. Rives
Samuel T. Sawyer
Daniel Sheffer
Charles Shepard
Ebenezer J. Shields
Matthias Sheplor
Adam W. Snyder
James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor

Mr. Waddy Thompson, jr.
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins I. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Joseph Weeks
Thomas T. Whittlesy
Sherrod Williams
Jared W. Williams
Christopher M. Williams
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Ayrcrigg
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
James W. Bouldin
John Calhoon
William B. Carter
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
Charles D. Coffin
Thomas Corwin
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
Edward Davies
George H. Dunn
John Edwards
George Evans
John Ewing
Richard Fletcher
Millard Fillmore
Rice Garland
Joshua R. Giddings

Mr. Patrick G. Goode
James Graham
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Thomas Henry
William Herod
Jabez Jackson
Henry Johnson
John P. Kennedy
Levi Lincoln
Richard P. Marvin
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
James A. Pearce
Luther C. Peck

Mr. John Pope
David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
John Sergeant
Augustine H. Sheppard
Mark H. Sibley
William Slade
Francis O. J. Smith
William W. Southgate
Edward Stanly
William Stone
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Henry A. Wise
Thomas J. Word
Thomas Jones York.

And so Mr. Elmore was excused.

Mr. Cushman then asked to be excused from serving on the Select Committee elected by the House yesterday, upon the subject of defalcations of public officers;

And, after debate,

The previous question was moved by Mr. Crary, and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz : Shall Mr. Cushman be excused from serving on the Select Committee appointed yesterday?

And passed in the affirmative, { Yeas, 106,
Nays, 90.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. Hugh J. Anderson	Mr. Elisha Haley	Mr. Lemuel Paynter
John T. Andrews	Thomas L. Hamer	James A. Pearce
Charles G. Atherton	Albert G. Harrison	David Petrikin
Linn Banks	Charles E. Haynes	Lancelot Phelps
William Beatty	Hopkins Holsey	William W. Potter
Cyrus Beers	Orin Holt	Zadock Pratt
Andrew Beirne	Benjamin C. Howard	John H. Prentiss
Bennet Bicknell	Edward B. Hubley	Luther Reily
Samuel Birdsall	Robert M. T. Hunter	R. Barnwell Rhett
Ratliff Boon	Samuel Ingham	John P. Richardson
John C. Brodhead	Thomas B. Jackson	Francis E. Rives
Isaac H. Bronson	Joseph Johnson	John Robertson
Andrew Buchanan	William Cost Johnson	Daniel Sheffer
C. C. Cambreleng	Nathaniel Jones	Matthias Sheplor
John Chaney	George M. Keim	Francis O. J. Smith
Reuben Chapman	Gouverneur Kemble	Adam W. Snyder
James F. Cleveland	Dixon H. Lewis	James B. Spencer
William K. Clowney	Henry Logan	Archibald Stuart
Walter Coles	Arphaxed Loomis	William Taylor
Henry W. Connor	James M. Mason	Francis Thomas
Robert Craig	Joshua L. Martin	Obediah Titus
Isaac E. Cray	James J. McKay	Isaac Toucey
Thomas Daves	Robert McClellan	George W. Towns
Edmund Deberry	Abraham McClellan	Hopkins L. Turney
John I. De Graft	Charles McClure	Henry Vail
George C. Dromgoole	William Montgomery	Abraham Vanderveer
Horace Everett	Ely Moore	David D. Wagener
John Ewing	William S. Morgan	Taylor Webster
James Farrington	Samuel W. Morris	Joseph Weeks
Isaac Fletcher	William H. Noble	Thomas T. Whittlesey
Henry A. Foster	George W. Owens	Sherrod Williams
Jacob Fry, jr.	John Palmer	Jared W. Williams
Seaton Grantland	Amasa J. Parker	Joseph L. Williams
Abraham P. Grant	William Parmenter	John T. H. Worthington
Hiram Gray	Virgil D. Parris	Archibald Yell.
John K. Griffin		

Those who voted in the negative are—

Mr. John Quincy Adams	Mr. Charles D. Coffin	Mr. Alexander Harper
James Alexander, jr.	Thomas Corwin	William S. Hastings
Heman Allen	George W. Crabb	Richard Hawes
John W. Allen	Robert B. Cranston	Thomas Henry
J. Banker Ayerrigg	John W. Crockett	William Herod
John Bell	Edward Curtis	George W. Hopkins
Richard Biddle	Caleb Cushing	Jabez Jackson
William Key Bond	Edward Darlington	Henry Johnson
Nathaniel B. Borden	William C. Dawson	John P. Kennedy
James W. Bouldin	Edward Davies	Hugh S. Legare
William B. Calhoun	George H. Dunn	Levi Lincoln
John Calhoon	George Evans	Francis S. Lyon
William B. Campbell	Millard Fillmore	Francis Mallory
William B. Carter	Rice Garland	Richard P. Marvin
Zadok Casey	Patrick G. Goode	Samson Mason
John Chambers	James Graham	Abram P. Maury
Richard Cheatham	William Graham	William L. May
Timothy Childs	William J. Graves	John P. B. Maxwell
John C. Clark	James Harlan	Thomas M. T. McKennan

Mr. Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
Luther C. Peck
John Pope
David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
James Rariden

Mr. Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Samuel T. Sawyer
John Sergeant
Augustine H. Sheppard
Ebenezer J. Shields
William Slade
William W. Southgate

Mr. Edward Stanly
William Stone
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas James York.

And so Mr. Cushman was excused.

Mr. Hubley then asked to be excused from serving on the Select Committee elected by the House yesterday, upon the subject of defalcations of public officers;

And, after debate,

The previous question was moved by Mr. Crary, and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall Mr. Hubley be excused from serving on the Select Committee appointed yesterday?

And passed in the affirmative, { Yeas, 119,
Nays, 68.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Richard Biddle
Samuel Birdsell
Ratliff Boon
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
John Campbell
Zadok Casey
John Chaney
Reuben Chapman
William K. Clowney
Walter Coles
Henry W. Connor
Robert Craig
Isaac E. Crary
Samuel Cushman
Edward Darlington
William C. Dawson
Thomas Davee
John I. De Graff

Mr. George C. Dromgoole
Alexander Duncan
Franklin H. Elmore
Horace Everett
John Ewing
James Farrington
Henry A. Foeter
Jacob Fry, jr.
Rice Garland
Abram P. Grant
Hiram Gray
George Greennell, jr.
John K. Griffin
Hiland Hall
Thomas L. Hamer
Albert G. Harrison
Charles E. Haynes
Thomas Henry
Hopkins Holsey
Orrin Holt
Benjamin C. Howard
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Daniel Jenifer
Joseph Johnson
George M. Keim
Gouverneur Kamble
Hugh S. Legare

Mr. Dixon H. Lewis
Levi Lincoln
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Thomas M. T. McKenna
Richard H. Menefee
Charles F. Mercer
John Miller
William Montgomery
Samuel W. Morris
William H. Noble
George W. Owens
Amasa J. Parker
William Parmenter
Lemuel Paynter
James A. Pearce
David Petrikin
Francis W. Pickens
John Pope
David Potts, jr.
William W. Potter
John H. Prentiss
Sergeant S. Prentiss

Mr. Luther Reily
 Abraham Rencher
 R. Barnwell Rhett
 John P. Richardson
 Francis E. Rives
 John Robertson
 Edward Rumsey
 John Sengcant
 Daniel Sheffer
 Augustine H. Sheppard

Mr. Matthias Shepler
 Adam W. Snyder
 James B. Spencer
 Edward Stanly
 Henry Swearingen
 William Taylor
 Francis Thomas
 Joseph L. Tillinghast
 Obadiah Titus
 George W. Towns

Mr. Hopkins L. Turney
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 Sherrod Williams
 Jared W. Williams
 John T. H. Worthington
 Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
 James Alexander, jr.
 John W. Allen
 J. Banker Ayerigg
 John Bell
 William Key Bond
 Nathaniel B. Borden
 William B. Calhoun
 John Calhoun
 William B. Campbell
 William B. Carter
 John Chambers
 Richard Cheatham
 Timothy Childs
 John C. Clark
 Thomas Corwin
 George W. Crabb
 Robert B. Cranston
 John W. Crockett
 Edward Curtis
 Caleb Cushing
 Edward Davies
 George H. Dunn

Mr. George Evans
 Patrick G. Goode
 James Graham
 William Graham
 William J. Graves
 James Harlan
 Alexander Harper
 William S. Hastings
 Richard Hawes
 William Herod
 Henry Johnson
 John P. Kennedy
 James M. Mason
 Samson Mason
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 John J. Milligan
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle
 Virgil D. Parris

Mr. James Rariden
 Joseph F. Randolph
 John Reed
 Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Saltonstall
 Samuel T. Sawyer
 Ebenezer J. Shields
 Mark H. Sibley
 William Slade
 Francis O. J. Smith
 William W. Southgate
 William Stone
 John Taliaferro
 Joseph R. Underwood
 Albert S. White
 John White
 Lewis Williams
 Henry A. Wise
 Thomas J. Word
 Thomas Jones Yorke.

And so Mr. Hubley was excused.

A motion was made by Mr. Wise, that the House do now proceed to the election of three members of the said Select Committee in the places of Mr. Elmore, Mr. Cushman, and Mr. Hubley, who have been excused from serving as members of said committee.

And, pending this question, a motion was made by Mr. Wise that there be a call of the House ;

And the question being put,

It passed in the affirmative, { Yeas, 104,
 { Nays, 81.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 J. Banker Ayerigg
 Andrew Beirne
 John Bell
 Richard Biddle
 William Key Bond
 Nathaniel B. Borden
 Jesse A. Bynum
 John Calhoun
 William B. Campbell
 William B. Carter

Mr. Zadok Casey
 John Chambers
 John Chaney
 Richard Cheatham
 Timothy Childs
 John C. Clark
 Charles D. Coffin
 Thomas Corwin
 George W. Crabb
 Robert Craig
 Robert B. Cranston
 John W. Crockett
 Caleb Cushing
 Edward Darlington

Mr. William C. Dawson
 Edward Davies
 Edmund Deberry
 George C. Dromgoole
 George H. Dunn
 Franklin H. Elmore
 George Evans
 John Ewing
 Rice Garland
 Patrick G. Goode
 James Graham
 William Graham
 William J. Graves
 Hiram Gray, Google

Mr. George Grannell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
George W. Hopkins
Jabez Jackson
Daniel Jenifer
George M. Keim
Levi Lincoln
Francis S. Lyon
Francis Mallory
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan

Mr. Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
James A. Pearce
Francis W. Pickens
John Pope
David Potts, jr.
James Rariden
John Reed
Luther Reily
Abraham Rencher
Joseph Ridgway
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall

Mr. John Sergeant
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
Adam W. Snyder
William W. Southgate
Edward Stansly
William Stone
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Joseph L. Williams
Thomas J. Word
Archibald Yell
Thomas Jones York.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Bennet Bicknell
Samuel Birdsall
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
C. C. Cambreleng
John Campbell
Reuben Chapman
Jesse F. Cleveland
Henry W. Connor
Isaac E. Cray
Samuel Cushman
Thomas Daves
John J. De Graff
Alexander Duncan
Jacob Fry, jr.
John K. Griffin
Elisha Haley
Thomas L. Hamer
Albert G. Harrison

Mr. Charles E. Haynes
Hopkins Holsey
Orrin Holt
Benjamin C. Howard
Edward B. Hubley
William H. Hunter
Samuel Ingham
Joseph Johnson
William Cost Johnson
Nathaniel Jones
Gouverneur Kemble
John Klingensmith, jr.
Hugh S. Legare
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Richard P. Marvin
James M. Mason
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray

Mr. William H. Noble
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
Lancelot Phelps
John P. Richardson
Francis E. Rives
John Robertson
Samuel T. Sawyer
Daniel Sheffer
Charles Shepard
Matthias Shepler
James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Abraham Vanderveer
Taylor Webster
Thomas T. Whittlesey
Sherrod Williams
Christopher H. Williams
John T. H. Worthington

A call being thus ordered,

The roll was called, in part; when

Further proceedings in the call were dispensed with.

And the question was put, that the House do agree to the motion made by Mr. Wise, that the House do now proceed to the election of three members of the Select Committee aforesaid,

And passed in the affirmative.

The first ballot was then taken and counted; when it appeared that no choice had been made, no member having received a majority of all the votes given in.

A motion was then made by Mr. Dromgoole that there be a call of the House; which motion was decided in the negative; when

A motion was made by Mr. Jones, of New York, at half-past four o'clock, that the House do adjourn;

And the question being put,

It passed in the negative, { Yeas, 30,
Nays, 106.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Hugh J. Anderson
Charles G. Atherton
Ratliff Boon
John Campbell
Jesse F. Cleveland
Henry W. Connor
Isaac E. Cray
Thomas Daves
John I. De Graff
John Edwards

Mr. George Evans
Horace Everett
Abraham P. Grant
Hiram Gray
Elisha Haley
Nathaniel Jones
John Klingensmith, jr.
Arphaxed Loomis
William S. Morgan
David Petrikin

Mr. William W. Potter
Zadock Pratt
John H. Prentiss
Mark H. Sibley
Adam W. Snyder
William Taylor
Francis Thomas
Henry Vail
Taylor Webster
John T. H. Worthington.

Those who voted in the negative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
J. Banker Aycrigg
Andrew Beirne
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
James W. Bouldin
John Calhoon
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Reuben Chapman
Richard Cheatham
Timothy Childs
Charles O. Coffin
Walter Coles
Robert Craig
Edward Curtis
Caleb Cushing
Samuel Cushman
William C. Dawson
Edmund Deberry
George C. Dromgoole
John Ewing
James Farrington
Richard Fletcher
Millard Fillmore
James Garland
Rice Garland
Joshua R. Giddings
William Graham

Mr. Seaton Grantland
Thomas L. Hamer
James Harlan
Alexander Harper
William S. Hastings
Charles E. Haynes
Thomas Henry
George W. Hopkins
Benjamin C. Howard
Samuel Ingham
Jabez Jackson
Daniel Jenifer
Gouverneur Kemble
Levi Lincoln
Richard P. Marvin
Samson Mason
William L. May
James J. McKay
Abraham McClellan
Thomas M. T. McKennan
Richard H. Menefee
John J. Milligan
John Miller
Charles F. Mitchell
Ely Moore
Calvary Morris
John L. Murray
Charles Naylor
Joseph C. Noyes
Charles Ogle
William Parmenter
James A. Pearce
Luther C. Peck
Lancelot Phelps
John Pope

Mr. David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
Francis E. Rives
John Robertson
Edward Rumsey
David Russell
Leverett Saltonstall
John Sergeant
William Slade
Francis O. J. Smith
William W. Southgate
Edward Stanley
Archibald Stuart
William Stone
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Isaac Toucey
Joseph R. Underwood
Albert S. White
John White
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams
Jared W. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Archibald Yell.

A motion was then made by Mr. McKennan that there be a call of the House;

And the question being put,

It passed in the negative, { Yeas, 57,
Nays, 102.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Ayerigg
Andrew Beirne
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
Jesse A. Bynum
William B. Calhoun
William B. Carter
John Chambers
Richard Cheatham
Timothy Childs
Charles D. Coffin
John W. Crockett
Edward Curtis

Mr. Caleb Cushing
Edmund Deberry
George C. Dromgoole
George H. Dunn
George Evans
Millard Fillmore
Rice Garland
Joshua R. Giddings
Patrick G. Goode
William Graham
Seaton Grantland
James Harlan
Alexander Harper
Thomas Henry
William Herod
George W. Hopkins
Jabez Jackson
Richard P. Marvin
Thomas M. T. McKennan

Mr. Charles Naylor
Charles Ogle
Luther C. Peck
Sergeant S. Prentiss
James Rariden
Joseph Ridgway
Francis E. Rives
Edward Rumsey
John Sergeant
William Shade
Francis O. J. Smith
Edward Stanley
William Stone
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Lewis Williams
Christopher H. Williams
Thomas J. Word

Those who voted in the negative are—

Mr. Hugh J. Andersen
Charles G. Atherton
William Beatty
Ratiff Boon
John C. Brodhead
C. C. Cambreleng
William B. Campbell
Zadok Casey
Reuben Chapman
Jesse F. Cleveland
Walter Coles
Henry W. Connor
Robert Craig
Isaac E. Crary
Samuel Cushman
William C. Dawson
Thomas Davee
John I. De Graff
John Edwards
Horace Everett
John Ewing
James Farrington
Richard Fletcher
James Graham
Hiram Gray
George Grennell, jr.
Elisha Haley
Hiland Hall
Thomas L. Hamer
William S. Hastings
Charles E. Haynes
Ogden Hoffman
Orrin Holt
Benjamin C. Howard

Mr. Samuel Ingham
Thomas B. Jackson
William Cost Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Levi Lincoln
Arphaxed Loomis
Francis S. Lyon
Samson Mason
William L. May
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
John Miller
Charles F. Mitchell
Ely Moore
William S. Morgan
Calvary Morris
John L. Murray
William H. Noble
Joseph C. Noyes
George W. Owens
John Palmer
William Parmenter
Virgil D. Parris
James A. Pearce
David Petrikin
Lancelot Phelps

Mr. John Pope
David Potts, jr.
Zadock Pratt
John H. Prentiss
Harvey Putnam
Joseph F. Randolph
John Reed
Abraham Rencher
John Robertson
Edward Robinson
David Russell
Leverett Saltonstall
Augustine H. Shepperd
Mathias Shepler
Mark H. Sibley
William W. Southgate
James B. Spencer
Archibald Stuart
William Taylor
Francis Thomas
Isaac Toucey
Joseph R. Underwood
Henry Vail
Taylor Webster
Joseph Weeks
Albert S. White
John White
Thomas T. Whittlesey
Sherrod Williams
Jared W. Williams
Joseph L. Williams
John T. H. Worthington
Archibald Yell
Thomas Jones Yorke

A motion was made by Mr. Dromgoole, at a quarter past five o'clock,
that the House do adjourn; which motion was decided in the negative.

And the House then proceeded to a second ballot for three members of
the aforesaid committee; and, the ballot being counted, it was found that
Mr. Taylor of New York, Mr. Martin of Alabama, and Mr. Wagoner

of Pennsylvania, were the three highest on the list of the members voted for, and were, consequently, duly elected members of said committee.

A motion was made by Mr. Wise, that the rules in relation to the order of business be suspended, to enable him to move the following resolution:

Resolved, That the Select Committee of nine, elected by the House to investigate the late defalcations of public officers, have power to elect a clerk; to employ a printer to print for its own use its journal and other papers required to be copied; and that the members thereof be excused from attendance upon the House until it shall have made its report.

And on the question, Shall the rule be suspended for the purpose aforesaid?

There appeared, { Yeas, 83,
 { Nays, 62.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
John Bell
William Key Bond
Nathaniel B. Borden
William B. Calhoun
John Calhoun
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
Timothy Childs
Thomas Corwin
George W. Crabb
Robert B. Cranston
Edward Curtis
Caleb Cushing
Edward Darlington
Edward Davies
Edmund Deberry
George H. Duon
Franklin H. Elmore
John Ewing
Milard Fillmore
Rice Garland
Joshua R. Giddings

Mr. Patrick G. Goode
Seaton Grantland
William J. Graves
Hiland Hall
James Harlan
William S. Hastings
Richard Hawes
Thomas Henry
George W. Hopkins
Jabez Jackson
William Cost Johnson
John P. Kennedy
Dixon H. Lewis
Levi Lincoln
Francis S. Lyon
Francis Mallory
Richard P. Marvin
James M. Mason
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Charles Naylor
Joseph C. Noyes
James A. Pearce
Luther C. Peck

Mr. David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
Edward Robinson
David Russell
Leverett Saltonstall
John Sergeant
Augustine H. Shepperd
William Slade
Francis O. J. Smith
William W. Southgate
Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Lewis Williams
Sherrod Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Andrew Beirne
Bennet Bicknell
John C. Brodhead
Jesse A. Bynum
John Chaney
Reuben Chapman
John C. Clark
Jesse F. Cleveland
Walter Coles
Henry W. Connor
Robert Craig

Mr. Isaac E. Crary
Samuel Cushman
Thomas Davee
George C. Dromgoole
John Edwards
James Farrington
Hiram Gray
Elisha Haley
Thomas L. Hamer
Micajah T. Hawkins
Charles E. Haynes
Hopkins Holsey
Orrin Holt
Benjamin C. Howard
Edward B. Hubley
Samuel Ingham

Mr. Thomas B. Jackson
Nathaniel Jones
George M. Keim
Henry Logan
Arphaxed Loomis
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
William H. Noble
George W. Owens
John Palmer
William Parmenter
Virgil D. Parris
Lancelot Phelps

Mr. William W. Potter
Zadock Pratt
John H. Prentiss
John P. Richardson
Francis E. Rives

Mr. Daniel Sheffer
Matthias Sheplor
James B. Spencer
William Taylor
Isaac Toucey

Mr. Henry Vail
Jared W. Williams
John T. H. Worthington
Archibald Yell.

Two-thirds not voting in the affirmative, the question was lost.

Mr. Taylor asked to be excused from serving as a member of the Select Committee upon the subject of defalcations of public officers, to which he had just been elected by the House.

And pending the question thereon,

Mr. Lyon stated that he voted yesterday in the negative, on the question of the amendment moved by Mr. Marvin to the resolution of Mr. Cambreleng, to strike out the words "*viva voce*," and to insert "by ballot," but that his vote had not been recorded, and asked that the error be corrected; which was unanimously assented to by the House, and the error was corrected accordingly.

And then, at six o'clock and twenty minutes, the House adjourned until to-morrow, twelve o'clock meridian.

SATURDAY, JANUARY 19, 1839.

The question recurred on the request made by Mr. Taylor, yesterday, to be excused from serving as a member of the Select Committee on the subject of defalcations of public officers; when

On motion of Mr. Gray, a call of the House was ordered; and, the roll being twice called, all the members who have appeared at the present session answered to their names, except—

Messrs. Hugh J. Anderson, Richard Biddle, George N. Briggs, John C. Brodhead, Isaac H. Bronson, Jesse A. Bynum, Jesse F. Cleveland, Walter Coles, Isaac E. Crary, John Dennis, Alexander Duncan, Franklin H. Elmore, John Ewing, James Farrington, Isaac Fletcher, Henry A. Foster, Jacob Fry, jr., Albert Gallup, Thomas Glascock, Abraham P. Grant, Elisha Haley, William Halsted, Robert H. Hammond, William S. Hastings, Micajah T. Hawkins, Ogden Hoffman, Hopkins Holsey, Orrin Holt, Benjamin C. Howard, Samuel Ingham, John W. Jones, Gouverneur Kemble, Hugh S. Legare, Daniel P. Leadbetter, Francis S. Lyon, Samson Mason, William Montgomery, Mathias Morris, Samuel W. Morris, John Palmer, Virgil D. Parris, Lemuel Paynter, Joseph F. Randolph, Luther Reily, R. Barnwell Rhett, Ebenezer J. Shields, William Slade, Francis O. J. Smith, Charles C. Stratton, Obadiah Titus, Joseph R. Underwood, Albert S. White, Joseph L. Williams.

On motion of Mr. Boon, further proceedings in the call were dispensed with;

And the question recurred on excusing Mr. Taylor agreeably to his request.

And after debate,

The previous question was moved by Mr. Petrikin; and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put,

And passed in the affirmative.

The main question was then put, viz: Shall Mr. Taylor be excused

from serving as a member of the Select Committee on the subject of defalcations of public officers? when

There appeared, { Yeas, 102,
 Nays, 102.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Bennet Bicknell
Samuel Birdall
Ratcliff Boon
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
John Campbell
John Chaney
Reuben Chapman
Jesse F. Cleveland
William K. Clowney
Walter Coles
Heary W. Connor
Robert Craig
Samuel Cushman
Thomas Davee
John I. De Graff
George C. Dromgoole
John Edwards
Franklin H. Elmore
James Farrington
Albert Gallup
Seaton Grandand
Abraham P. Grant
Hiram Gray
John K. Griffin

Mr. Elisha Haley
Thomas L. Hamer
Micajah T. Hawkins
Charles E. Haynes
Hopkins Holsey
Orrin Holt
Edward B. Hubley
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
Joseph Johnson
William Cozt Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Charles F. Mercer
John Miller
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
William H. Noble
George W. Owens
John Palmer
Amasa J. Parker

Mr. William Parmenter
Virgil D. Parris
David Petrikin
Lancelot Phelps
Arnold Plumer
William W. Potter
Zadock Pratt
John H. Prentiss
John P. Richardson
Francis E. Rives
Samuel T. Sawyer
Daniel Sheffer
Charles Shepard
Matthias Sheplor
Adam W. Snyder
James B. Spencer
Archibald Stuart
Henry Swearingen
John Taliaferro
Francis Thomas
Waddy Thompson, jr.
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
David D. Wagener
Taylor Webster
Joseph Weeks
Thomas T. Whittlesey
Jared W. Williams
Joseph L. Williams
Jno. T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
J. Banker Ayrcrigg
John Bell
William Key Bond
Nathaniel B. Borden
James W. Bouldin
William B. Calhoun
John Calhoun
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
Charles D. Coffin
Thomas Corwin
George W. Cnabb
Robert B. Cranston
John W. Crockett

Mr. Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
Edward Davies
Edmund Deberry
George H. Dunn
George Evans
John Ewing
Richard Fletcher
Millard Fillmore
Rice Garland
Joshua R. Giddings
Patrick G. Goode
James Graham
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings

Mr. Richard Hawes
Thomas Henry
William Herod
George W. Hopkins
Jabez Jackson
Daniel Jenifer
Henry Johnson
John P. Kennedy
Levi Lincoln
Francis S. Lyon
Francis Mallory
Richard P. Marvin
James M. Mason
Samson Mason
Abram P. Maury
William L. May
Thos. M. T. McKernan
Richard H. Menefee
John J. Milligan
Charles F. Mitchell
Calvary Morris
Charles Naylor

Mr. Joseph C. Noyes
Charles Ogle
James A. Pearce
Luther C. Peck
John Pope
David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph
Abraham Rencher
Joseph Ridgway

Mr. John Robertson
Edward Robinson
Edward Rumsey
Leverett Saltonstall
John Sergeant
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
Francis O. J. Smith
William W. Southgate
Edward Stanly

Mr. William Stone
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Sherrod Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

The House being equally divided, the Speaker voted with the yeas, and so the question was decided in the affirmative; and Mr. Taylor was excused from serving on the committee aforesaid.

Mr. Wagener, who was elected, yesterday, a member of the Select Committee on the subject of defalcations of public officers, requested to be excused from serving on said committee.

And, after debate,

The previous question was moved by Mr. William Cost Johnson: when A call of the House was moved by Mr. Parker; which was disagreed to by the House.

The House then divided on the motion for the previous question, when it was found that it was demanded by a majority of the members present.

The said previous question was then put, to wit: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Will the House excuse Mr. Wagener from serving as a member of the Select Committee on the subject of defalcations of public officers;

And passed in the negative, { Yeas, 102,
 { Nays, 106.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
Ratliff Boon
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
John Campbell
John Chaney
Reuben Chapman
Jesse F. Cleveland
William K. Clowney
Henry W. Connor
Robert Craig
Samuel Cushman
Thomas Daves
John I. De Graff
George C. Dromgoole

Mr. Alexander Duncan
John Edwards
Franklin H. Elmore
James Farrington
Albert Gallup
Seaton Grantland
Abraham P. Grant
Hiram Gray
John K. Griffin
Elisha Haley
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Hopkins Holsey
Ortin Holt
Benjamin C. Howard
Edward B. Hubley
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.

Mr. Daniel P. Leach
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
George W. Owens
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
David Petrikin
Lancelot Phelps
Arnold Plumer



Mr. William W. Potter
Zadock Pratt
John H. Prentiss
John P. Richardson
Francis E. Rives
Samuel T. Sawyer
Daniel Sheffer
Matthias Sheplor
Adam W. Snyder

Mr. James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor
Francis Thomas
Waddy Thompson, jr.
Obadiah Titus
Isaac Toucey
George W. Towns

Mr. Hopkins L. Turney
Henry Vail
Abraham Vanderveer
Taylor Webster
Joseph Weeks
Thomas T. Whittlesey
Jared W. Williams
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John Quiney Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Aycrigg
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
John Calhoun
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
Charles D. Coffin
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
Edward Davies
Edmund Deberry
George H. Dunn
George Evans
Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore
Rice Garland
Joshua R. Giddings

Mr. Patrick G. Goode
James Graham
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Ogden Hoffman
George W. Hopkins
William H. Hunter
Jabez Jackson
Daniel Jenifer
William Cost Johnson
John P. Kennedy
Hugh S. Legare
Levi Lincoln
Francis S. Lyon
Francis Mallory
Richard P. Marvin
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Charles Naylor
Joseph C. Noyes

Mr. Charles Ogle
James A. Pearce
John Pope
David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
James Rariden
John Reed
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
John Sergeant
Augustine H. Sheppard
Ebenezer J. Shields
Mark H. Sibley
William Slade
Francis O. J. Smith
William W. Southgate
Edward Stanly
William Stone
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Sherrod Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

And so Mr. Wagener was not excused.

Mr. Martin, being already a member of two committees, viz: the Committee on the Judiciary, and the Select Committee appointed on the 14th instant, in relation to the mode of collecting and disbursing the public revenue, excused himself from serving in said committee on defalcations under the 55th rule of the House, which provides that "any member may excuse himself from serving on any committee, at the time of his appointment, if he is then a member of two other committees."

On motion of Mr. Evans, the House proceeded to ballot for two members of said committee in the place of Mr. Taylor and Mr. Martin, and, upon an examination of the ballot, it was found that Mr. Owens, of Georgia, and Mr. Foster, of New York, were duly elected, having each received a majority of all the votes given in.

A motion was made by Mr. Hunter, of Ohio, that the House do re-

consider the vote on the question, Will the House excuse Mr. Wagener from serving as a member of the Select Committee on the subject of defalcations of public officers?

And on this motion the previous question was moved by Mr. Sherrod Williams; when

A motion was made by Mr. Evans, that the motion to reconsider do lie on the table.

A motion was then made by Mr. Dromgoole, (at 5½ o'clock,) that the House do adjourn; which was decided in the negative.

A motion was made by Mr. Duncan, that there be a call of the House; which motion was decided in the negative.

The question was then put on the motion that the motion to reconsider do lie on the table;

And passed in the affirmative, { Yeas, 103,
Nays, 66.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Ayrcrigg
John Bell
William Key Bond
Nathaniel B. Borden
William B. Calhoun,
John Calhoun
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
Charles D. Coffin
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
Edward Davies
Edmund Deberry
George H. Dunn
George Evans
Horace Everett
John Ewing
Millard Fillmore
Rice Garland
Joshua R. Giddings
Patrick G. Goode

Mr. James Graham
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Ogden Hoffman
George W. Hopkins
Jabez Jackson
Daniel Jenifer
Joseph Johnson
William Cost Johnson
John P. Kennedy
Levi Lincoln
Richard P. Marvin
Samson Mason
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
James A. Pearce
Luther C. Peck

Mr. Lancelot Phelps
David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
John Sergeant
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
Francis O. J. Smith
William W. Southgate
Edward Stanly
William Stone
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Sherrod Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell

Mr. Ratliff Boun
Andrew Buchanan
John Chaney
Jesse F. Cleveland
Walter Coles
Samuel Cushman
Thomas Davee

Mr. George C. Dromgoole
Alexander Duncan
John Edwards
James Farrington
Albert Gallup
Seaton Grantland
Hiram Gray

Mr. Elisha Haley
 Thomas L. Hamer
 Charles E. Haynes
 Hopkins Holsey
 Orrin Holt
 Benjamin C. Howard
 Edward B. Hubley
 William H. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Nathaniel Jones
 George M. Keim
 Daniel P. Leadbetter
 Dixon H. Lewis
 Arphaxed Loomis

Mr. James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 John Miller
 John L. Murray
 William H. Noble
 John Palmer
 Amasa J. Parker
 William Parmenter
 Virgil D. Parris
 David Petrikin
 Arnold Plumer
 William W. Potter
 Zadock Pratt

Mr. John H. Prentiss
 Matthias Sheplor
 Archibald Stuart
 Henry Swearingen
 William Taylor
 Obadiah Titus
 Isaac Toucey
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 Thomas T. Whittlesey
 Jared W. Williams
 Joseph L. Williams
 Archibald Yell.

A motion was made by Mr. Wise that the rules in relation to the order of business be suspended to enable him to move the following resolution :

Resolved, That the Select Committee of nine, elected by the House to investigate the late defalcations of public officers, have power to elect a clerk; to employ a printer to print, for its own use, its journal and other papers required to be copied for its members; that the committee have leave to proceed to New York or other places for the purpose of prosecuting its inquiries; and that the members thereof be excused from attendance upon the House until it shall have made its report.

A motion was made by Mr. Beatty, (at six o'clock,) that the House do adjourn; which was decided in the negative.

And the question was put on the motion made by Mr. Wise to suspend the rules;

And passed in the affirmative, (two-thirds voting therefor,) { Yeas, 112,
 { Nays, 32.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 J. Banker Aycrigg
 John Bell
 William Key Bond
 Nathaniel B. Borden
 William B. Calhoun
 John Calhoun
 William B. Campbell
 William B. Carter
 Zadok Casey
 John Chambers
 John Chaney
 Richard Cheatham
 Timothy Childs
 Jesse F. Cleveland
 Charles D. Coffin
 Walter Coles
 Thomas Corwin
 George W. Crabb
 Robert B. Cranston
 John W. Crockett
 Edward Curtis
 Caleb Cushing
 Edward Darlington
 Edward Davies

Mr. Edmund Deberry
 George H. Dunn
 George Evans
 Horace Everett
 John Ewing
 Richard Fletcher
 Millard Fillmore
 James Gayland
 Rice Garland
 Joshua R. Giddings
 Patrick G. Goode
 James Graham
 William Graham
 Seaton Grantland
 William J. Graves
 Hiram Gray
 George Grennell, jr.
 Elisha Haley
 Hiland Hall
 James Harlan
 Alexander Harper
 William S. Hastings
 Richard Hawes
 Charles E. Haynes
 Thomas Henry
 William Herod
 Hopkins Holsey
 George W. Hopkins

Mr. Samuel Ingham
 Jabez Jackson
 William Cost Johnson
 Dixon H. Lewis
 Levi Lincoln
 Richard P. Marvin
 Samson Mason
 Joshua L. Martin
 William L. May
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle
 James A. Pearce
 Luther C. Peck
 Lancelot Phelps
 David Potts, jr.
 Sergeant S. Prentiss
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Joseph Ridgway
 John Robertson

Mr. Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
John Sergeant
Augustine H. Shepperd
Mark H. Sibley
William Slade
Francis O. J. Smith
William W. Southgate

Mr. Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
Joseph L. Tillinghast
Obadiah Titus
George W. Toland
Joseph R. Underwood
Albert S. White

Mr. John White
Thomas T. Whittlesey
Lewis Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas T. Word
Archibald Yell
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
George C. Dromgoole
James Farrington
Albert Gallup
Thomas L. Hamer
Orria Holt
Edward B. Hubley
Thomas B. Jackson

Mr. Nathaniel Jones
George M. Keim
Daniel P. Leadbetter
Arphaxad Loomis
James J. McKay
Robert M. Clellan
Charles McClure
John Miller
Ely Moore
William H. Noble
Amasa J. Parker

Mr. Virgil D. Parris
David Petrikin
Arnold Plumer
William W. Potter
Zadock Pratt
Matthias Shepler
James B. Spencer
Henry Swearingen
David D. V. agener
Taylor Webster.

Mr. Wise then moved the said resolution, which was read; when
The previous question was moved by Mr. Harlan; and being demanded
by a majority of the members present,

The previous question was put, viz: Shall the main question be now
put?

And passed in the affirmative.

The main question was then put, viz: Will the House agree to the said
resolution?

And passed in the affirmative.

And so the resolution was passed.

A motion was then made by Mr. Petrikin, that the House do reconsider
the vote agreeing to the said resolution, and that the consideration of the
said motion be postponed until Monday next.

The previous question was moved by Mr. Cushing; when

A call of the House was moved by Mr. Duncan; which motion for a
call was disagreed to by the House; when

Mr. Petrikin withdrew his motion to reconsider.

And, thereupon, a motion was made by Mr. Wise, that the House do
reconsider the vote on the question to agree to the said resolution.

Mr. Wise moved the previous question; which being demanded by a
majority of the members present,

The said previous question was put, viz: Shall the main question be
now put?

And passed in the affirmative.

The main question was then put, viz: Will the House reconsider the
said vote?

And passed in the negative.

The several messages from the President of the United States, commu-
nicated to the House yesterday, and remaining on the Speaker's table,
were read, viz:

FIRST MESSAGE.

To the House of Representatives of the United States :

I transmit, herewith, a communication from the Secretary of the Treasury, which presents for the consideration of Congress the propriety of so changing the second section of the act of March 2, 1837, as that the existing humane provisions of the laws for the relief of certain insolvent debtors of the United States may be extended to such cases of insolvency as shall have occurred on or before the 1st day of January, 1839.

M. VAN BUREN.

WASHINGTON, January 17, 1839.

Ordered, That the said message be referred to the Committee on the Judiciary.

SECOND MESSAGE.

To the House of Representatives of the United States :

I transmit to the House of Representatives a report from the Director of the Mint, exhibiting the operations of that institution during the year 1838.

M. VAN BUREN.

WASHINGTON, January 18, 1839.

Ordered, That the said message do lie on the table.

THIRD MESSAGE.

To the Speaker of the House of Representatives :

In answer to the resolution of the House of Representatives of the 14th instant, calling for information as to the proceedings under the act of Congress of the 28th of June last, providing for examinations of inventions designed to prevent the explosion of steam-boilers, I transmit herewith a copy of a report of the Secretary of the Navy which was made to the Senate in answer to a similar call from that body, as containing the information called for.

M. VAN BUREN.

WASHINGTON, January 17, 1839.

Ordered, That said message be referred to the Select Committee appointed upon the report of the Secretary of the Treasury upon the subject of the explosion of steam-boilers.

FOURTH MESSAGE.

To the Senate and House of Representatives :

I herewith communicate to Congress a letter from the Secretary of the Treasury in respect to the Florida claims under the treaty of 1819, and the subsequent acts of Congress passed to enforce it.

The propriety of some additional legislation on this subject seems obvious. The period when the evidence on the claims shall be closed, ought, in my opinion, to be limited, as they are already of long standing,

and, as a general consequence, the proof of their justice every day becoming more and more unsatisfactory.

It seems, also, that the task of making the final examination into the justice of the awards might, advantageously, be devolved upon some other officer or tribunal than the Secretary of the Treasury, considering the other responsible, laborious, and numerous duties imposed on him at the present juncture.

M. VAN BUREN.

JANUARY 17, 1839.

Ordered, That said message do lie on the table.

The Speaker laid before the House sundry communications, viz :

I. A letter from the Secretary of War, transmitting a report from the Ordnance office, containing the information called for by the House on the 14th instant, in relation to the expenditure of the one hundred and fifty thousand dollars appropriated during the last session of Congress for the erection and repair of arsenals, &c.; which letter was ordered to lie on the table.

II. A letter from the Secretary of War, transmitting a letter from the Second Comptroller of the Treasury, containing the information called for by the House on the 14th instant, in relation to the construction of reports of committees of Congress on the adjustment of claims by the accounting officers; which letter was ordered to lie on the table.

III. A letter from the Secretary of War, transmitting the report and maps of the survey of the Neenah or Fox river, and other information called for by the House on the 14th instant; which letter and accompanying papers were ordered to lie on the table, and the maps of the survey to be lithographed.

IV. A letter from the Secretary of War, transmitting a report from the Commissioner of Indian Affairs, accompanied by a statement of all persons employed in that branch of the public service during the year 1837, furnished in obedience to the 13th section of an act of the 30th of June, 1834; which letter and documents were referred to the Committee on Indian Affairs.

V. A letter from the Secretary of War, transmitting a statement of the appropriations for, and the expenditures on, the military service of the United States during the year 1838, with the unexpended balances remaining in the Treasury at the close of the year; which letter was ordered to lie on the table.

VI. A letter from the Secretary of State, in answer to the call of the House of the 14th instant for information as to the authority of reports of committees of Congress in the settlement of claims at the Executive Departments; which letter was laid on the table.

VII. A letter from the Secretary of State, containing the information called for by the House on the 14th instant, in relation to printers employed in North Carolina to publish the laws of the United States; which letter was ordered to lie on the table.

VIII. A letter from the Secretary of the Navy, in answer to the call of the House of the 14th instant, for information as to the authority of reports of committees of Congress in the settlement of claims against the Government at the Executive Departments; which letter was laid on the table.

IX. A letter from the Secretary of the Treasury, transmitting further information called for by the House on the 31st of December, in relation to the omission to file, in due time, the official bond of Samuel Swartwout, late collector of the customs for the port of New York; which letter was ordered to lie on the table, and the same number of extra copies thereof was directed to be printed as have been ordered of Doc. No. 13, of the present session, in relation to the defalcation of Samuel Swartwout.

And then, at half-past six o'clock, the House adjourned until Monday next at twelve o'clock, meridian.

MONDAY, JANUARY 21, 1839.

A motion was made by Mr. Haynes, that the rules in relation to the ordered of business be suspended, and that the House do proceed, in Committee of the Whole House on the state of the Union, to the consideration of the message of the President of the United States at the commencement of the present session of Congress ;

And on the question, Shall the rules be suspended for the purpose aforesaid ?

There appeared,	{ Yeas,	. . . . .	84,
	{ Nays,	. . . . .	74.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John T. Andrews	Mr. Seaton Grantland	Mr. William Montgomery
Charles G. Atherton	Abram P. Grant	Ely Moore
Linn Banks	Hiram Gray	William S. Morgan
William Beatty	Elisha Haley	William H. Noble
Cyrus Beers	Thomas L. Hamer	Amasa J. Parker
Andrew Beirne	Alexander Harper	William Parmenter
John Bell	Micajah T. Hawkins	Lancelot Phelps
Bennet Bicknell	Charles E. Haynes	Francis W. Pickens
Samuel Birdsell	Hopkins Holsey	Zadock Pratt
Ratiff Boon	Orrin Holt	John H. Prentiss
James W. Bouldin	Edward B. Hubley	Sergeant S. Prentiss
John C. Brodhead	Samuel Ingham	John P. Richardson
Andrew Buchanan	Thomas B. Jackson	Francis E. Rives
C. C. Cambreleng	Daniel Jenifer	Edward Rumsey
John Campbell	Joseph Johnson	Augustine H. Shepperd
Zadok Casey	William Cost Johnson	Matthias Sheplor
Richard Chestam	Nathaniel Jones	Adam W. Snyder
Charles D. Coffin	Dixon H. Lewis	Archibald Stuart
Walter Coles	Arphaxed Loomis	Henry Swearingen
Henry W. Connor	Francis Mallory	Hopkins L. Turney
Isaac E. Cray	Richard P. Marvin	Henry Vail
Samuel Cushman	Samson Mason	Abraham Vanderveer
George C. Dromgoolle	Joshua L. Martin	Taylor Webster
John Edwards	Abram P. Maury	Joseph Weeks
James Farrington	John P. B. Maxwell	Thomas T. Whittlesey
Jacob Fry, jr.	James J. McKay	Lewis Williams
James Garland	Robert McClellan	Jared W. Williams
Rice Garland	Abraham McClellan	Joseph L. Williams.

These who voted in the negative are—

Mr. John Quincy Adams	Mr. William B. Calhoun	Mr. George W. Crabb
James Alexander, jr.	John Calhoon	Robert B. Cranston
Heman Allen	William B. Carter	John W. Crockett
John W. Allen	John Chambers	Caleb Cushing
William Kay Bond	Reuben Chapman	Edward Davies
Nathaniel B. Borden	Timothy Childs	Edmund Deberry

Mr. George H. Dunn
 George Evans
 Horace Everett
 Millard Fillmore
 Joshua R. Giddings
 Patrick G. Goode
 William Graham
 George Grennell, jr.
 Hiland Hall
 Albert G. Harrison
 William S. Hastings
 Richard Hawes
 Thomas Henry
 William Herod
 Benjamin C. Howard
 Jabez Jackson
 Henry Johnson
 John P. Kennedy
 Levi Lincoln

Mr. Thos. M. T. McHennan
 Richard H. Menefee
 Charles F. Mercer
 Charles F. Mitchell
 Mathias Morris
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle
 James A. Pearce
 Luther C. Peck
 John Pope
 David Potts, jr.
 Harvey Putnam
 James Rariden
 John Reed
 Joseph Ridgway
 John Robertson
 Edward Robinson
 Mr. David Russell
 Leverett Saltonstall
 John Sergeant
 Daniel Sheffer
 Ebenezer J. Shields
 William W. Southgate
 William Stone
 Charles C. Stratton
 John Taliaferro
 Joseph L. Tillinghast
 George W. Toland
 Albert S. White
 John White
 Sherrod Williams
 Christopher H. Williams
 Thomas J. Word
 Archibald Yell
 Thomas Jones York.

Two-thirds not voting in the affirmative, the question was lost.

Mr. Graham, by leave, moved the following resolution, viz :

Resolved, That the Secretary of War be requested to inform this House, as soon as he can, what number of the Cherokee tribe of Indians are now remaining in the State of North Carolina ; what means the Government has provided for their subsistence ; and why they were not removed west of the Mississippi river, according to the terms of the treaty, and the provisions of an act of Congress passed at the last session ; and also, how, to whom, and for what, has the money appropriated under that act for subsistence and removal of the Cherokee Indians, been expended and applied.

The rule which requires this resolution to lie on the table one day being dispensed with, it was read and considered ; and,

After debate, the previous question was moved by Mr. De Graff, and, being demanded by a majority of the members present,

The previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative.

The main question was then put, viz : that the House do agree to the said resolution,

And passed in the affirmative.

Mr. Henry Johnson, from the Select Committee, by leave, reported the following resolution :

Resolved, That the Select Committee appointed to inquire into the charges of high crimes and misdemeanors against P. K. Lawrence, judge of the district court of the United States for the State of Louisiana, be authorized to send for persons and papers.

The resolution was read, and agreed to.

Mr. John Quincy Adams asked leave to introduce a bill for the relief of the legal representatives of Captain Joshua Huddy, and, leave being given,

Mr. Adams introduced said bill, (No. 1051;) which was read the first and second time, and committed to a Committee of the Whole House to-morrow.

A message, in writing, was received from the President of the United States by Mr. Abraham Van Buren, his private secretary, which he delivered in at the Speaker's table.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed a bill (No. 53) entitled "An act for the continuation of the Cumberland road in the States of Ohio, Indiana, and Illinois;" in which bill I am directed to ask the concurrence of this House. And then he withdrew.

Mr. John Quincy Adams asked the unanimous permission of the House to make a statement.

Objection being made,

A motion was made by Mr. Grennell, that the rules be suspended, and that Mr. Adams be permitted to make his statement.

And, the question being put on the motion made by Mr. Grennell,

It passed in the affirmative, (two-thirds voting therefor,) { Yeas, 117,
Nays, 58.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. James Alexander, jr.
Heman Allen
John W. Allen
John T. Andrews
J. Banker Ayerigg
William Beatty
Benet Bicknell
Richard Biddle
William Key Bond
Nathaniel B. Borden
James W. Bouldin
Andrew Buchanan
William B. Calhoun
John Calhoun
William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
Timothy Childs
Charles D. Coffin
Robert B. Cranston
John W. Crockett
Caleb Cushing
Edward Dartington
Thomas Davee
Edward Davies
John I. De Graff
George H. Dunn
John Edwards
George Evans
Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore
Jacob Fry, jr.
Rice Gerland
Joshua K. Giddings
Patrick G. Goode
William Graham

Mr. Seaton Grantland
William J. Graves
Hiram Gray
George Grennell, jr.
Elisha Haley
Hiland Hall
Alexander Harper
William S. Hastings
Thomas Henry
William Herod
Benjamin C. Howard
Daniel Jenifer
Henry Johnson
William Cost Johnson
Nathaniel Jones
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Dixon H. Lewis
Levi Lincoln
Richard P. Marvin
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Robert McClellan
Thomas M. T. McKennan
Richard H. Menefee
John J. Milligan
Charles F. Mitchell
Ely Moore
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
Amasa J. Parker
William Parmenter
James A. Pearce
Luther C. Peck

Mr. Lancelot Phelps
Arnold Plumer
John Pope
David Potts, jr.
Zadock Pratt
John H. Prentiss
Sergeant S. Prentiss
Harvey Putnam
James Rariden
John Reed
Abraham Rencher
Joseph Ridgway
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
John Sergeant
Daniel Sheffer
Ebenezer J. Shields
Mark H. Sibley
William Slade
Adam W. Snyder
William W. Southgate
Archibald Stuart
Charles C. Stratton
John Talliaferro
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Henry Vail
Abraham Vanderveer
Albert S. White
John White
Thomas T. Whittlesey
Lewis Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
Linn Banks
Cyrus Beers
Andrew Beirne
Samuel Birdsell

Mr. Ratliff Boon
Isaac H. Bronson
John Chaney
Reuben Chapman
Walter Coles

Mr. Henry W. Connor
George W. Crabb
Edmund Deberry
George C. Dromgoole
Alexander Duncan

Mr. James Farrington
James Graham
Abraham P. Grant
John K. Griffin
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Hopkins Holsey
Orrin Holt
Edward B. Hubley
Robert M. T. Hunter
Samuel Ingham
Joseph Johnson
Henry Logan

Mr. Francis S. Lyon
Francis Mallory
James M. Mason
James J. McKay
Abraham McClellan
Charles F. Mercer
John Miller
William Montgomery
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
Virgil D. Parris
David Petrikin

Mr. John P. Richardson
Francis E. Rives
Samuel T. Sawyer
Augustine H. Sheppard
Matthias Shepler
James B. Spencer
Edward Stanly
William Stone
Henry Swearingen
William Taylor
Hopkins L. Turney
Sherrod Williams
Thomas J. Word
Archibald Yell.

Mr. Adams then made his statement.

Mr. Anderson presented a petition of inhabitants of Castine, in the State of Maine, praying for an appropriation for the erection of a light-house on Widow's island, near the entrance into Penobscot bay.

Mr. Parmenter presented a petition of inhabitants of Lynn, Charlestown, and the city of Boston, in the State of Massachusetts, praying an amendment of the law granting a bounty to vessels engaged in the fishing business.

Ordered, That the said petitions be referred to the Committee on Commerce.

Mr. Cushman presented a petition of Theophilus Somerby, of Wells, in the State of Maine, an invalid soldier of the war of 1812 with Great Britain, praying for a pension, to commence from the time his wound was received; which petition was referred to the Committee on Invalid Pensions.

Mr. Atherton presented a petition of Lydia Steele, of the State of New Hampshire, daughter of John Sullivan, who was a major general in the army of the United States in the revolutionary war, praying compensation for the revolutionary services of her ancestor.

Mr. Richard Fletcher presented the petition of John W. W. Godbold, presented heretofore December 12, 1837.

Ordered, That the said petitions be referred to the Committee on Revolutionary Pensions.

Mr. Cushman presented a petition of John A. Dickason, a carpenter in the navy of the United States, alleging that he acted as sailingmaster, by order of Commodore Downes, from July, 1837, up to December, 1838, and praying to be paid the salary of sailingmaster during the time he acted as such.

Mr. Parmenter presented a petition of Sarah B. Morse, of Boston, in the State of Massachusetts, daughter and only surviving child of Richard Morse, deceased, who was a quarter-gunner on board the United States frigate President, and died on board and in the service of the United States in 1812, praying for arrears of pension to which she is entitled in consideration of the services and death of her father.

Ordered, That the said petitions be referred to the Committee on Naval Affairs.

Mr. Atherton presented a petition of Abraham Rose, of Lyndeborough, in the State of New Hampshire, praying compensation for services rendered to the country in the time of the revolutionary war.

Mr. Richard Fletcher presented a petition of Dolly Bacon, of Boston,

in the State of Massachusetts, widow of Henry Bacon, deceased, who was a soldier of the Connecticut line in the war of the Revolution, praying compensation for the revolutionary services of her said husband.

Mr. Harper presented the petition of the heirs and representatives of Bartholomew Trow, presented heretofore December 12, 1837.

Ordered, That the said petitions be referred to the Committee on Revolutionary Claims.

Mr. Richard Fletcher presented a petition of Isaiah Rogers, of the city of New York, and of Richard Bond, of the city of Boston, praying compensation for certain drawings and specifications for a custom-house in the city of New York; which drawings were transmitted to the Secretary of the Treasury in the year 1833, and destroyed by the burning of the Treasury building; which petition was referred to the Committee of Claims.

Mr. Richard Fletcher presented a petition of citizens of Boston, in the State of Massachusetts, original members of an association called "The Migrating Company to the West," praying for such an amendment of the pre-emption law as will enable said association to delegate one of their number to take out patents for lands by them selected, on paying the minimum price therefor; which petition was referred to the Committee on the Public Lands.

Mr. Lincoln presented a petition of citizens of the State of Massachusetts, praying for an act explanatory of the law of July 7, 1838, granting five years' pensions to certain widows; which petition was committed to a Committee of the Whole House.

Mr. John Quincy Adams presented a memorial of William Callender, of Boston, in the State of Massachusetts, praying permission to test, in the navy yard at Charlestown, in Massachusetts, the utility of certain improvements made by him in the art of gunnery; which memorial was referred to the Committee on Military Affairs.

Mr. Phelps presented a petition of inhabitants of Litchfield, in the State of Connecticut, praying for the establishment of a mail route from New Hartford Centre to New Hartford, in said State; which petition was referred to the Committee on the Post Office and Post Roads.

Mr. Allen, of Vermont, presented a petition of inhabitants of the towns of South Hero, Grand Isle, Milton, Colchester, and Burlington, in the State of Vermont, and the town of Plattsburg, in the State of New York, praying an appropriation for the survey and construction of a bridge between the said towns of Milton and the island in lake Champlain upon which are situated the towns of South Hero and Grand Isle; which petition was referred to the Committee on Roads and Canals.

Mr. John Quincy Adams presented a petition of Charles Oleott and others, of Medina county, in the State of Ohio, praying a repeal of all laws for the apprehension and delivery of fugitive slaves in the free States.

Mr. John Quincy Adams presented a petition of S. Hubbard and others, males and females, of the town of Franklin, in the county of Franklin, in the State of Vermont, praying that all laws of the Territories of the United States which are oppressive to free colored people may be repealed.

Mr. John Quincy Adams presented a petition of Dexter Gleason and others, males and females, of Halifax, in the county of Windham, in the State of Vermont, praying that one-sixth part of the wings and neck of

the American eagle may be cut off, and one-sixth part of the word *liberty* expunged from the national banner.

Mr. John Quincy Adams presented a petition of William Buchanan and others, of Washington, in Pennsylvania, praying Congress to take measures to effect a speedy abolition of the free colored population within the territory of the United States; as also, to remove them to Africa.

Ordered, That said petitions do lie on the table.

Mr. John Quincy Adams presented a memorial and petition of the Female Anti-slavery Society of Philadelphia, in the State of Philadelphia, praying a repeal of the resolution adopted by the House on the 12th of December ultimo, in relation to petitions upon the subject of slavery and the slave trade.

Mr. John Quincy Adams presented a petition of the same tenor and effect from Aaron Baldwin and other citizens of Newark, in the State of New Jersey.

Mr. John Quincy Adams presented a petition of Isabella Jane Center and other females of Monroe county and city, in the State of Ohio, praying a repeal of the resolution of the 12th of December upon the subject of petitions in relation to slavery and the slave trade; that Congress will acknowledge the independence of Hayti; abolish slavery in the District of Columbia and in the Territories; that the slave trade between the States may be interdicted; and that no new slave State may be admitted into the Union.

Ordered, That the said petitions do lie on the table.

Mr. John Quincy Adams presented a petition of Sherlock S. Gregory, at present a sojourner in Rensselaer county, in the State of New York, praying Congress to institute an inquiry into the soundness of the title of the United States to the territory west of the Mississippi river, which was purchased from France; for the reason that, from the best knowledge the petitioner has yet been enabled to obtain, he is led to believe France never purchased the said territory of its original owners, the lineal descendants of Abraham, nor of any other authorized people; and, consequently, her title was no better than that of a man who claims his neighbor's horses or his oxen without even making any agreement for them with their owner: which petition was ordered to lie on the table.

Mr. Reed presented a petition of inhabitants of Brewster, in the county of Barnstable, in the State of Massachusetts, praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti; which petition was ordered to lie on the table.

Petitions praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti, were presented as follows:

By Mr. John Quincy Adams: Of Lucius Turner and other inhabitants of Fowler, in the county of St. Lawrence, in the State of New York;

Of William Daggett and others, males and females, of Tisbury, in the State of Massachusetts;

Of Elvira Frost and other women of New Market, in the State of New Hampshire;

Of Chauncey Lee and others, males and females, of Hartwick, in the State of New York;

Of James Welsh and others of Winchester, in the State of Connecticut;

Of Charles Robbins and others of Gun, in the State of Maine;
Of Samuel Doty and others, males and females, of Chatham, in the State of New York;

Of George Brown and others, males and females, of Waldo county, in the State of Maine;

Of William Kirkland and others, males and females, of Livingston, in the State of Michigan;

Of John Pease and others, males and females, of Parsonsfield, in the State of Maine;

Of John Spalding and others of Franklin, in the State of Vermont;

Of E. Brown and others, males and females, of Northeast, in the State of Pennsylvania;

Of John R. Weeks and others, of Newark, in the State of New Jersey.

By Mr. Hall: Of males and females of Weston, in the State of Vermont;

Of men and women of Jamaica, in the State of Vermont;

Of citizens of Bennington, in the State of Vermont.

By Mr. Heman Allen: Two petitions of citizens of Burlington, in the State of Vermont.

By Mr. Grennell: Of males and females of Worcester, in the State of Massachusetts.

By Mr. Noyes: Of citizens of Seaville, in the State of Maine.

Ordered, That the said petitions be referred to the Committee on Foreign Affairs.

Petitions against the admission of Florida, or any new slaveholding State, into the Union, were presented as follows, to wit:

By Mr. Grennell: Of citizens of Greenfield, in the State of Massachusetts.

By Mr. Lincoln: Of citizens of Bolton, in the State of Massachusetts.

By Mr. W. B. Calhoun: Of citizens of East Hampton, in the State of Massachusetts;

Of citizens of West Hampton, in the State of Massachusetts;

Of citizens of Brookfield, in the State of Massachusetts.

By Mr. Cushing: Of Enoch Smith and others, of Essex, in the State of Massachusetts;

Of Nathaniel Gage and others, of Haverhill, in the State of Massachusetts;

Of Leonard Jewett and others, of Byfield, in the State of Massachusetts;

Of Sarah Coffin and other women of Haverhill, in the State of Massachusetts.

These petitions, as presented, were severally laid on the table, under the order of the 12th of December last.

Petitions praying the abolition of slavery in the District of Columbia and the Territory of Florida, and the slave trade in the States, and against the admission of any new slaveholding State into the Union, and against the annexation of Texas to the Union, were presented as follows, to wit:

By Mr. Cranston: Of citizens of Smithfield, in the State of Rhode Island.

By Mr. Grennell: Two petitions of citizens of Jaffrey, in the State of New Hampshire.

By Mr. Saltonstall: Three petitions of citizens of Essex, in the State of Massachusetts;

Of citizens of Cumberland, in the State of Maine.

By Mr. Cushing: Of Enoch Merrill and others, males and females, of Essex, in the State of Massachusetts;

Of Lydia Evans and other women of Essex, in the State of Massachusetts.

By Mr. Tillinghast: Four petitions of citizens of Smithfield, in the State of Rhode Island;

Of citizens of Westerly, in the State of Rhode Island;

Of citizens of Cumberland, in the State of Rhode Island;

Of citizens of Providence, in the State of Rhode Island.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Mr. W. B. Calhoun presented a petition of women of Brookfield, in the State of Massachusetts, praying for the abolition of slavery in the District of Columbia and the Territories of the United States.

Mr. W. B. Calhoun presented a petition of citizens of Worcester, in the State of Massachusetts, against the admission of any new slaveholding State into the Union, and against the annexation of Texas unto the Union.

Mr. Evans presented a petition of citizens of New Sharon, in the State of Maine, against the admission of any new slave State into the Union.

Mr. Evans presented a petition of citizens of New Sharon, in the State of Maine, praying for the abolition of slavery in the Territories of the United States.

Mr. W. B. Calhoun presented a petition of women of West Brookfield, in the State of Massachusetts, praying for the abolition of the slave trade in the States.

Mr. Tillinghast presented a petition of citizens of Hopkinton, in the State of Rhode Island, praying for the abolition of slavery in the Territories of the United States.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December.

Petitions praying for the repeal of all orders and resolutions of Congress, whereby petitions of any class of citizens, on any subject, are laid upon the table without being read, debated, printed, or referred, were presented as follows, to wit:

By Mr. Reed: Of citizens of Fair Haven, in the State of Massachusetts.

By Mr. Parmenter: Two petitions of citizens of Alton, in the State of Massachusetts;

Of citizens of Groton, in the State of Massachusetts.

Ordered, That these petitions do severally lie on the table.

Petitions against the annexation of Texas to this Union were presented as follows, to wit:

By Mr. Adams: Of Almira Holmes and other women of Kingston, in the State of Massachusetts;

Of William Robinson and others, males and females, of Mount Pleasant, in the State of Ohio;

Of Aaron Baldwin and others, of Newark, in the State of New Jersey;

Of Abraham Reves and others, males and females, of Chester county, in the State of Pennsylvania.

By Mr. Cushing: Of Rebecca Whipple and other women of Essex county, in the State of Massachusetts.

By Mr. Tillinghast: Of citizens of Smithfield, in the State of Rhode Island.

Ordered, That these petitions do lie on the table.

Petitions praying for the abolition of slavery in the District of Columbia and in the Territories of the United States, and of the slave trade in the States, were presented as follows, viz :

By Mr. John Quincy Adams: Of William Fletcher and others, males and females, of Floyd, in the State of New York ;

Of John Ellis and others, of Utica, in the State of New York ;

Of Daniel Baldwin and others, males and females, of Austerlitz, in the State of New York ;

Of George Doughty and others, males and females, of Queens county, in the State of New York ;

Of Leonard Steward and others, males and females, of Somerset, in the State of New York ;

Of Ephraim Gardinier and others, males and females, of Lockport, in the State of New York ;

Of John Gooding and others, of Lockport, in the State of New York ;

Of Richard H. Frances and others, of Utica, in the State of New York ;

Of David White and others, males and females, of St. Lawrence county, in the State of New York ;

Of Grant Johnson and others, males and females, of St. Lawrence county, in the State of New York ;

Of Hart Lawrence and others, males and females, of Hopkinton, in the State of New York ;

Of A. P. Tuttle and others, males and females, of Tully, in the State of New York ;

Of J. N. T. Tucker and others, males and females, of Madison county, in the State of New York ;

Of Charles Dake and others, males and females, of Nunda, in the State of New York ;

Of Carmi Crossman and others, males and females, of St. Lawrence county, in the State of New York ;

Of Ephraim Smedley, M. D., and others, males and females, of Northeast, in the State of Pennsylvania ;

Of George Peacock and others, males and females, of Whitestown, in the State of New York ;

Of Alvan Ingersoll and others, males and females, of Brighton, in the State of New York ;

Of Erastus Williams and others, males and females, of Brighton, in the State of New York ;

Of Ezra Sibley, jun., and others, males and females, of Brighton, in the State of New York ;

Of Benjamin Cowles and others, males and females, of Brighton, in the State of New York ;

Of H. H. Parker and others, males and females, of Orleans county, in the State of New York ;

Of Lydia B. Wright and other woman of Utica, in the State of New York.

These petitions, as presented, were severally laid on the table, under the order of the House of the 12th of December.

Petitions against the admission of any new State into this Union whose

constitution tolerates slavery, and against the admission of Texas into this Union, were presented as follows, to wit :

By Mr. John Quincy Adams: Of George Pegler and others, males and females, of St. Lawrence county, in the State of New York ;

Of Chauncey Lee and others, males and females, of Hartwick, in the State of New York ;

Of John Lloyd and others, of Utica, in the State of New York ;

Of Joseph Ellis and others, of Utica, in the State of New York ;

Of Samuel Doty, jun., and others, males and females, of Chatham, in the State of New York ;

Of Adam Poe and others, males and females, of Portage county, in the State of Ohio ;

Of Amos L. Spencer and others, males and females, of Portage county, in the State of Ohio ;

Of Leonard Steward and others, males and females, of Somerset, in the State of New York ;

Of Amos Pierce and others, males and females, of Lockport, in the State of New York ;

Of John Gooding and others, of Lockport, in the State of New York ;

Of Daniel Baldwin and others, males and females, of Austerlitz, in the State of New York ;

Of Grant Johnson and others, males and females, of St. Lawrence county, in the State of New York ;

Of Hart Lawrence and others, males and females, of Hopkinton, in the State of New York ;

Of Luther O. French and others, males and females, of Tully, in the State of New York ;

Of J. N. T. Tucker and others, males and females, of Madison county, in the State of New York ;

Of Charles Dake and others, males and females, of Nunda, in the State of New York ;

Of William Kirkland and others, males and females, of Livingston, in the State of New York ;

Of Carmi Crossman and others, males and females, of St. Lawrence county, in the State of New York ;

Of Samuel Willits and others, males and females, of Cayuga county, in the State of New York ;

Of William Fletcher and others, males and females, of Floyd, in the State of New York ;

Of Alvin Gilbert and others, of Winchester, in the State of Connecticut ;

Of B. C. Kellogg and others, males and females, of Avon, in the State of Connecticut ;

Of James M. Bunn and others, of Hartford, in the State of Connecticut ;

Of Ephraim Smedley, M. D., and others, of Northeast, in the State of Pennsylvania ;

Of Jacob Pusey, and others, of Newcastle county, in the State of Delaware ;

Of George Peacock and others, males and females, of Whitestown, in the State of New York ;

Of Erastus Williams and others, males and females, of Brighton, in the State of New York ;

Of Benjamin Cowles and others, males and females, of Brighton, in the State of New York ;

Of H. H. Parker and others, of Orleans county, in the State of New York ;

Of Martin Mitchell and others, males and females, of St. Lawrence county, in the State of New York ;

Of John J. Wilson and others, males and females, of Cayuga county, in the State of New York ;

Of Noah B. Norton and others, males and females, of Torrington, in the State of Connecticut ;

Of George Brown and others, males and females, of Waldo county, in the State of Maine ;

Of John Pease and others, males and females, of York county, in the State of Maine ;

Of Elizabeth Dunlap and other women of Brunswick, in the State of Maine ;

Of Stephen Brannum and others, of Groton, in the State of Massachusetts ;

Of Aaron Daggett and others, of Gun, in the State of Maine ;

Of David Thurston and others, of Winthrop, in the State of Maine ;

Of William Daggett and others, males and females, of Tisbury, in the State of Massachusetts ;

Of Nathaniel Pease and others, males and females, of Bridgeton, in the State of Maine.

These petitions, as presented, were laid on the table, under the order of the 12th of December last ;

Petitions praying for the abolition of slavery in the District of Columbia and the Territory of Florida, and the slave trade in the States, and against the admission of any new State into the Union whose constitution tolerates slavery, were presented as follows, viz :

By Mr. J. Q. Adams : Of Moses E. Bradford and other legal voters of Franconstown, in the State of New Hampshire ;

Of O. B. Walker and others, of Baring, in the State of Maine.

These petitions were laid on the table, under the order of the House of the 12th December last.

Petitions praying for the abolition of slavery in the District of Columbia, and the slave trade in the States, and against the admission of any new slaveholding State into this Union, were presented as follows, viz :

By Mr. John Quincy Adams : Of Elizabeth Stokely and other women of Steubenville, in the State of Ohio ;

Of Susannah Willman and other women of Montgomery, in the State of Vermont ;

Of J. N. Robinson and others, males and females, of Genesee county, in the State of Michigan.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December last.

Petitions praying for the abolition of slavery in the District of Columbia were presented as follows, viz :

By Mr. John Quincy Adams : Of Abraham Reves and others, males and females, of Chester county, in the State of Pennsylvania ;

Of Zachariah Hampton and others, of Morgan county, in the State of Ohio ;

Of Melissa Rich and other women of Ohio ;

Of William Robinson and others, males and females, of Mount Pleasant, in the State of Ohio ;

Of John Spalding and others, of Franklin, in the State of Vermont ;

Of Hannah Cartwright and other women of Franklin, in the State of Vermont ;

Of Levi Vaughan and others, males and females, of Carver, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Petitions praying for the abolition of slavery in the District of Columbia, and the slave trade throughout the United States, were presented as follows, viz :

By Mr. John Quincy Adams : Of John A. Paine and others, of Newark, in the State of New Jersey ;

Of Mrs. E. Nichols and other women of Newark, in the State of New Jersey ;

Of Margaret Fiske and other women of Wrentham, in the State of Massachusetts ;

Of Elizabeth Emery and other women of Andover, in the State of Massachusetts ;

Of Patty Blake and other women of Westford, in the State of Massachusetts ;

Of Josiah Hopkins and others, males and females, of Cayuga county, in the State of New York.

These petitions, as presented, were laid on the table, under the order of the House of the 12th December last.

Petitions praying for the abolition of slavery in the District of Columbia and in the Territory of Florida, and against the slave trade in the States, were presented as follows, viz :

By Mr. John Quincy Adams : Of Samuel Doty, jr., and others, males and females, of Chatham, in the State of New York ;

Of Chauncey Lee and others, males and females, of Hartwick, in the State of New York ;

Of Samuel Johnson and others, males and females, of Portage county, in the State of Ohio ;

Of S. E. Batiford and others, males and females, of Portage county, in the State of Ohio ;

Of Willard Everett and others, legal voters of Francestown, in the State of New Hampshire ;

Of women and male minors of Francestown, in the State of New Hampshire ;

Of Sarah Branscomb and other women of New Market, in the State of New Hampshire ;

Of William Kirkland and others, of Livingston, in the State of Michigan ;

Of Silah Richards and others, of Bristol, in the State of Connecticut ;

Of N. R. Peck and others, males and females, of Fowler, in the State of New York ;

Of Alvin Gilbert and others, legal voters of Winchester, in the State of Connecticut ;

Of James Shepard and others of Stafford, in the State of Connecticut ;

Of Lemuel Tuttle and others, males and females, of Torrington, in the State of Connecticut ;

Of B. C. Kellogg and others, males and females, of Avon, in the State of Connecticut ;

Of James M. Bunn and others, of Hartford, in the State of Connecticut ;

Of Jacob Pusey and others, of Newcastle county, in the State of Delaware ;

Of Lancel Foot and others, males and females, of Canton, in the State of Connecticut ;

Of George Brown and others, males and females, of Waldo county, in the State of Maine ;

Of John Pease and others, males and females, of York county, in the State of Maine ;

Of Sarah C. Titcomb and other women of Brunswick, in the State of Maine ;

Of Rufus W. Brackett and others, of York county, in the State of Maine ;

Of Nathaniel Pease and others, males and females, of Bridgeton, in the State of Maine ;

Of Alfred W. Pike and others, of Winthrop, in the State of Maine ;

Of Elijah Barrell and others, of Greene, in the State of Maine ;

Of Betsey Fox and other women of York county, in the State of Maine ;

Of John Ames and others, of Groton, in the State of Massachusetts ;

Of William Daggett and others, males and females, of Tisbury, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the House of the 12th December last.

Petitions praying for the abolition of slavery in the District of Columbia and in the Territory of Florida, and the slave trade in the States, were presented as follows, to wit :

By Mr. Heman Allen : Two petitions of inhabitants of Burlington, in the State of Vermont.

By Mr. Hall : Two petitions of inhabitants of Bennington, in the State of Vermont ;

Of citizens of Windsor, in the State of Vermont ;

Of citizens of Windham, in the State of Vermont.

By Mr. Grennell : Of citizens of Greenwich, in the State of Massachusetts ;

Of citizens of Worcester, in the State of Massachusetts ;

Of citizens of Franklin, in the State of Massachusetts.

By Mr. Reed : Of citizens of Brewster, in the State of Massachusetts ;

Of citizens of Dukes, in the State of Massachusetts.

By Mr. Noyes : Two petitions of citizens of Hancock, in the State of Maine.

By Mr. Evans : Of citizens of Litchfield, in the State of Maine ;

Of citizens of St. Alban's, in the State of Maine.

By Mr. Robinson : Of citizens of Bath, in the State of Maine.

By Mr. W. B. Calhoun : Of citizens of Worcester, in the State of Massachusetts.

By Mr. Sakonstall : Of citizens of Essex, in the State of Massachusetts.

By Mr. Cushing : Of Philip Coombs and others, of Essex, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Petitions praying for the abolition of slavery in the District of Columbia were presented as follows, to wit :

By Mr. W. B. Calhoun : Of citizens of West Hampton, in the State of Massachusetts ;

Of citizens of East Hampton, in the State of Massachusetts ;

Of citizens of Ware, in the State of Massachusetts ;

Of citizens of West Broomfield, in the State of Massachusetts.

By Mr. Tillinghast : Of citizens of Smithfield, in the State of Rhode Island.

By Mr. Grennell : Of citizens of Greenfield, in the State of Massachusetts.

By Mr. Evans : Of citizens of New Sharon, in the State of Maine.

By Mr. Lincoln : Of citizens of Bolton, in the State of Massachusetts.

By Mr. Cushing : Of Michael Atkinson and others, of Essex county, in the State of Massachusetts ;

Of Sarah Coffin and other women of Haverhill, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Petitions praying for the abolition of slavery in the District of Columbia and the Territories of the United States, and the slave trade in the States, were presented as follows, to wit :

By Mr. Heman Allen : Of citizens of Westford, in the State of Vermont.

By Mr. Cushing : Of Polly Chute and other women of Plymouth, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Petitions praying that no new slave State may be admitted into, and against the annexation of Texas to this Union, were presented as follows, to wit :

By Mr. Reed : Of citizens of Brewster, in the State of Massachusetts.

By Mr. Davee : Of citizens of York, in the State of Maine.

By Mr. Robinson : Of citizens of Bath, in the State of Maine.

By Mr. W. B. Calhoun : Of citizens of Ware, in the State of Massachusetts.

By Mr. Saltonstall : Of citizens of Essex county, in the State of Massachusetts ;

By Mr. Grennell : Of citizens of Worcester, in the State of Massachusetts ;

Of citizens of Franklin, in the State of Massachusetts.

By Mr. Heman Allen : Of citizens of Westford, in the State of Vermont ;

Of citizens of Burlington, in the State of Vermont.

By Mr. Evans : Of citizens of Litchfield, in the State of Maine ;

Of citizens of St. Alban's, in the State of Maine.

By Mr. Noyes : Two petitions of citizens of Hancock, in the State of Maine.

By Mr. Hall : Two petitions of citizens of Bennington, in the State of Vermont ;

Of citizens of Windham, in the State of Vermont ;

Of citizens of Windsor, in the State of Vermont ;

By Mr. Cushing : Of Abel E. Salter and others, of Newburyport, in the State of Massachusetts ;

Of Aaron Knight and others, males and females, of York, in the State of Maine.

By Mr. Adams : Of Anna B. Gilman and other women of Newmarket, in the State of New Hampshire.

These petitions, as presented, were laid on the table, under the order of the 12th December last.

Petitions praying for the abolition of slavery in the District of Columbia, and the slave trade in the States, were presented as follows, to wit :

By Mr. Parmenter : Of citizens of Groton, in the State of Massachusetts.

By Mr. W. B. Calhoun : Of citizens of West Hampton, in the State of Massachusetts ;

Of citizens of New Braintree, in the State of Massachusetts.

By Mr. Grennell : Of citizens of Greenwich, in the State of Massachusetts ;

Of citizens of South Deerfield, in the State of Massachusetts.

By Mr. Lincoln : Of citizens of Auburn, in the State of Massachusetts ;

Of citizens of Millbury, in the State of Massachusetts.

By Mr. Hastings : Of citizens of Newton, in the State of Massachusetts ;

Of citizens of Dedham, in the State of Massachusetts.

By Mr. Cushing : Of Harriet Minot and other women of Haverhill, in the State of Massachusetts ;

Of Sarah Aye and other women of Haverhill, in the State of Massachusetts ;

Of Maria Ashby and other women of Essex, in the State of Massachusetts ;

Of Nancy Parker and other women of Reading, in the State of Massachusetts ;

Of Sarah B. Ripley and other women of Lowell, in the State of Massachusetts ;

Of Nancy Johnson and other women of West Bradford, in the State of Massachusetts ;

Of Sally T. Ladd and other women of Bradford, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Petitions praying for the abolition of slavery in the Territories of the United States, and the slave trade in the Territories and in the States, were presented as follows, to wit :

By Mr. Adams : Of William Robinson and others, males and females, of Mount Pleasant, in the State of Ohio ;

Of John Spalding and others, of Franklin, in the State of Vermont ;

Of S. Hubbard and others, women of Franklin, in the State of Vermont.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Petitions praying for the abolition of slavery in the District of Columbia and the Territories of the United States, were presented as follows, to wit :

By Mr. Adams: Of D. H. Stephens and others, males and females, of Monroe, in the State of Indiana ;

Of Charles Olcott and others, of Medina, in the State of Ohio.

These petitions, as presented, were laid on the table, under the order of the 12th December last.

Petitions praying for the abolition of the slave trade in the States were presented as follows, viz :

By Mr. Adams: Of Julia Parris and other women of Plymouth, in the State of Massachusetts ;

Of John Spalding and others, of Franklin, in the State of Vermont ;

Of S. Hubbard and other women of Franklin, in the State of Vermont.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Petitions praying that no new slave State may be admitted into the Union were presented as follows, viz :

By Mr. Adams: Of Lancel Foot and others, males and females, of Canton, in the State of Connecticut ;

Of John Spalding and others, of Franklin, in the State of Vermont.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Mr. Adams presented a petition of John A. Paine and others, of Newark, in the State of New Jersey, against the admission of Florida as a State into this Union.

Mr. Adams also presented a petition of Levi Vaughan, of Carver, in the State of Massachusetts, against the admission of Florida or any other new slave State into this Union.

Mr. Adams presented a petition of John Spalding and others, of Franklin, in the State of Vermont, against the annexation of Texas to this Union, as long as slaveholding is allowed within its borders.

Mr. Adams also presented a like petition of George Olcott and others, of Medina, in the State of Ohio.

Mr. Adams presented a petition of James Smith and others, of Cincinnati, in the State of Ohio, praying Congress not to abolish slavery in the District of Columbia.

Mr. Adams presented a petition of J. N. Robinson and others, males and females, of Genesee county, in the State of Michigan, praying Congress to rescind all resolutions or rules which may, in any way, affect the freedom of debate.

Mr. Adams presented a petition of Edward F. Morse and others, of Bristol, in the State of Connecticut, praying Congress to rescind the resolution passed at the second session of the present Congress, which requires petitions on the subject of slavery to be received, without being read, printed, or referred.

Mr. Adams presented a petition of Mary Newland and other women of Utica, in the State of New York, against the admission of any new slave State, and against the annexation of Texas to this Union.

Mr. Adams presented a petition of legal voters of Groton, in the State of Massachusetts, remonstrating against the abridgment of the right of petition, and praying for the repeal of all orders and resolutions of the House of Representatives whereby the petitions of any class on any subject are laid upon the table, without being read, debated, printed, or referred.

Mr. Adams presented a petition of John S. Reed and others, of Wel-

lington, in the State of Ohio, praying Congress to build an impassable stone fence between the slaveholding and non-slaveholding States, so as entirely to prevent citizens from passing out of their respective divisions.

Mr. John Quincy Adams presented a petition of Andrew B. Wilson, of Frederick county, in the State of Maryland, praying Congress to institute an inquiry on the subject of slavery.

Mr. Adams presented a petition of Aaron Baldwin, of Newark, in the State of New Jersey, praying that the constitution of the United States may be so altered as that each holder of domestic cattle, such as oxen, sheep, hogs, horses, &c., shall be entitled to three votes for each five animals so held and owned.

Mr. Adams presented a petition of W. Currier and others, members of the Academical and Theological Institution, in New Hampton, in the State of Massachusetts, setting forth that the resolutions introduced by the honorable Charles G. Atherton, at the present session of Congress, on the subject of slavery, deprives them of those rights which neither Congress nor *God himself* can annihilate; and praying that the said Atherton may be censured or expelled.

Mr. Adams presented a petition of Andrew C. Ridgway and others, of the State of New Jersey, praying that the resolutions presented by Mr. Atherton at the present session of Congress may be rescinded.

Such of these petitions as came within the provisions of the order of the House of the 12th of December last, were laid on the table under said order; the others were severally ordered to lie on the table as presented.

Mr. Adams presented a memorial of members of the East Haddam Peace Society, and others, in the State of Connecticut, praying Congress to act as mediator between France and Mexico, and as general mediator in all cases of international difficulty between other nations; and to adopt for this Government the principle of international arbitration, in reference to all cases of dispute between the United States and other Powers; and to propose to the various Governments of the world to appoint delegates, to assemble in congress or convention with delegates from the United States, for the purpose of preparing a code of international law; which memorial was referred to the Committee on Foreign Affairs.

Mr. Adams presented a petition of William D. Parrish and others of Philadelphia, and vicinity, in the State of Pennsylvania, in favor of a great convention or congress of nations.

Mr. Adams presented a petition of Francis H. Case and others, males and females of Avon, in the State of Connecticut, in favor of a congress of nations.

Mr. Adams presented a petition of J. Nichols and others of Newark, in the State of New Jersey, praying Congress to interpose a mediation between France and Mexico, in order to put a stop to the present war between those nations.

Mr. Adams presented a petition of J. Nichols and other legal voters of Newark, in the State of New Jersey, in favor of a congress of nations.

Mr. Adams presented a petition of J. W. Briggs and others, of Keene, in the State of New Hampshire, in favor of a congress of nations.

Mr. Adams presented a petition of members of the Vermont Peace Society, and others, of Caledonia county, in the State of Vermont, in favor of a congress of nations.

Mr. Adams presented a petition of George Brown and others of Waldo county, in the State of Maine, in favor of a congress of nations.

Mr. Adams presented a petition of Edward Kent and others of Bangor, in the State of Maine, in favor of a congress of nations.

Mr. Adams presented a petition of David Bailey and other legal voters of Wiscasset, in the State of Maine, in favor of a congress of nations.

Mr. Hall presented a petition of inhabitants of Dorset, and members of the Vermont Peace Society, and others, in the State of Vermont, in favor of a congress of nations.

Ordered, That the said petitions be severally referred to the Committee on Foreign Affairs.

Mr. Adams presented a petition of Asa Metcalf and others, of the county of Hillsdale, in the State of Michigan, and of Steuben county, in the State of Indiana, praying that all those members of Congress who were concerned in the duel in which the honorable Jonathan Cilley was killed may be expelled from the House of Representatives; and that a law be passed against duelling in the District of Columbia; and that slavery be abolished in the District of Columbia; that the slave trade be abolished between the several States; that no new State be admitted into the Union whose constitution tolerates slavery; that a treaty of commerce, &c., be entered into with Hayti; that Mr. Patton's resolutions of the last session be repealed; and that all petitions of a respectful nature be received by Congress. So much of the petition as relates to commerce with Hayti was referred to the Committee on Foreign Affairs; and so much thereof as relates to slavery and the slave trade was laid on the table, under the order of the 12th of December ultimo.

Under the order of the House of the 14th day of December last, petitions were referred as follows, to wit:

By Mr. Bronson: Three petitions of citizens of Jefferson and Oswego counties, New York, for the preservation and protection of the harbor at Sackett's Harbor, on lake Erie; which were referred to the Committee on Commerce.

By Mr. Spencer: Of John McCree and Harry Wakefield; which was referred to the Committee of Claims.

By Mr. Halsted: Of the heirs of John McCollum; which was referred to the Committee on Revolutionary Claims.

By Mr. Howard: Of Levi Colmus; which was referred to the Committee on Invalid Pensions.

By Mr. Pearce: Of John McLain;

By Mr. Russell: Of Jemima Finch, widow of Jonathan Finch; which petitions were referred to the Committee on Revolutionary Pensions.

By Mr. Naylor: Of Jacob Baker; which was referred to the Committee on Commerce.

By Mr. McKay: Of William Hawkins; which was referred to the Committee of Claims.

By Mr. De Graff: Of Hugh Riddle; which was referred to the Committee on Private Land Claims.

By Mr. Putnam: Of James Boylan; which was referred to the Committee on Revolutionary Pensions.

By Mr. Southgate: Of Captain Jacob White; which was referred to the Committee on Revolutionary Pensions.

By Mr. Evans: Of Palmer Branch;

By Mr. Briggs: Of Mary Center, widowed mother of Lieutenant John P. Center;

which two petitions were referred to the Committee on Invalid Pensions.

By Mr. Saltonstall: Of William Fettyplace, Stephen White, and the legal representative of Joseph White; which petition was referred to the Committee on Commerce.

By Mr. Charles Shepard: Of George Willis; which was referred to the Committee on Commerce.

By Mr. Hamer: Of Emanuel Srofe; which was referred to the Committee on Invalid Pensions.

By Mr. Parris: Of Isaac Allen;
Of Samuel T. Winslow; which petitions were referred to the Committee on Invalid Pensions.

By Mr. Kennedy: Of Thomas W. Norman; which was referred to the Committee on Revolutionary Pensions.

Mr. Evans presented a memorial of citizens of Litchfield, in the State of Maine, praying the recognition of the independence of the republic of Hayti.

Mr. Noyes presented two like memorials of inhabitants of Mount Desert, in Hancock county, in the State of Maine.

Mr. Cushman presented a like memorial of inhabitants of Portsmouth, in the State of New Hampshire.

Mr. Grennell presented two like memorials of inhabitants of Leverett and Greenfield, in the State of Massachusetts.

Mr. Cushing presented two like memorials of inhabitants of Limerick, in York county, in the State of Maine, and of Newburyport, in the State of Massachusetts.

Mr. Calhoun, of Massachusetts, presented two like memorials of inhabitants of Stockbridge, in the State of Massachusetts, and of Ware, in the State of New Hampshire.

Mr. Parmenter presented a like memorial of inhabitants of Groton, in the State of Massachusetts.

Mr. Saltonstall presented a like memorial of inhabitants of Danvers, in the State of Massachusetts.

Mr. Robinson presented a memorial of inhabitants of Union, in the State of Maine, praying for a high court or congress of nations, for the purpose of settling great national disputes without a resort to war.

Mr. R. Fletcher presented a like memorial of inhabitants of Needham, in the State of Massachusetts.

Mr. Grennell presented a like memorial of inhabitants of Amherst, in the State of Massachusetts.

Mr. Borden presented a like memorial of inhabitants of Westport, in the State of Massachusetts.

Ordered, That the said several memorials be referred to the Committee on Foreign Affairs.

Mr. Lincoln presented a memorial of citizens, males and females, of Auburn, in the State of Massachusetts; also, a memorial of citizens of Leominster, in the same State, praying the immediate repeal of all orders and resolutions whereby the petitions of any class of people, on any subject, are laid on the table without being read, debated, printed, or referred.

Debate arising on these memorials, they were laid on the table, to be taken up in the order of presentation, according to the 51st rule of the House.

Mr. Everett presented resolutions adopted by the Legislature of the State of Vermont, on the 5th of November, 1838, as follows; Google

Mr. Adams presented a petition of Edward Kent and others of Bangor, in the State of Maine, in favor of a congress of nations.

Mr. Adams presented a petition of David Bailey and other legal voters of Wiscasset, in the State of Maine, in favor of a congress of nations.

Mr. Hall presented a petition of inhabitants of Dorset, and members of the Vermont Peace Society, and others, in the State of Vermont, in favor of a congress of nations.

Ordered, That the said petitions be severally referred to the Committee on Foreign Affairs.

Mr. Adams presented a petition of Asa Metcalf and others, of the county of Hillsdale, in the State of Michigan, and of Steuben county, in the State of Indiana, praying that all those members of Congress who were concerned in the duel in which the honorable Jonathan Cilley was killed may be expelled from the House of Representatives; and that a law be passed against duelling in the District of Columbia; and that slavery be abolished in the District of Columbia; that the slave trade be abolished between the several States; that no new State be admitted into the Union whose constitution tolerates slavery; that a treaty of commerce, &c., be entered into with Hayti; that Mr. Patton's resolutions of the last session be repealed; and that all petitions of a respectful nature be received by Congress. So much of the petition as relates to commerce with Hayti was referred to the Committee on Foreign Affairs; and so much thereof as relates to slavery and the slave trade was laid on the table, under the order of the 12th of December ultimo.

Under the order of the House of the 14th day of December last, petitions were referred as follows, to wit:

By Mr. Bronson: Three petitions of citizens of Jefferson and Oswego counties, New York, for the preservation and protection of the harbor at Sackett's Harbor, on lake Erie; which were referred to the Committee on Commerce.

By Mr. Spencer: Of John McCree and Harry Wakefield; which was referred to the Committee of Claims.

By Mr. Halsted: Of the heirs of John McCollum; which was referred to the Committee on Revolutionary Claims.

By Mr. Howard: Of Levi Colmus; which was referred to the Committee on Invalid Pensions.

By Mr. Pearce: Of John McLain;

By Mr. Russell: Of Jemima Finch, widow of Jonathan Finch; which petitions were referred to the Committee on Revolutionary Pensions.

By Mr. Naylor: Of Jacob Baker; which was referred to the Committee on Commerce.

By Mr. McKay: Of William Hawkins; which was referred to the Committee of Claims.

By Mr. De Graff: Of Hugh Riddle; which was referred to the Committee on Private Land Claims.

By Mr. Putnam: Of James Boylan; which was referred to the Committee on Revolutionary Pensions.

By Mr. Southgate: Of Captain Jacob White; which was referred to the Committee on Revolutionary Pensions.

By Mr. Evans: Of Palmer Branch;

By Mr. Briggs: Of Mary Center, widowed mother of Lieutenant John P. Center;

which two petitions were referred to the Committee on Invalid Pensions.

By Mr. Saltonstall: Of William Fettyplace, Stephen White, and the legal representative of Joseph White; which petition was referred to the Committee on Commerce.

By Mr. Charles Shepard: Of George Willis; which was referred to the Committee on Commerce.

By Mr. Hamer: Of Emanuel Srofe; which was referred to the Committee on Invalid Pensions.

By Mr. Parris: Of Isaac Allen;

Of Samuel T. Winslow; which petitions were referred to the Committee on Invalid Pensions.

By Mr. Kennedy: Of Thomas W. Norman; which was referred to the Committee on Revolutionary Pensions.

Mr. Evans presented a memorial of citizens of Litchfield, in the State of Maine, praying the recognition of the independence of the republic of Hayti.

Mr. Noyes presented two like memorials of inhabitants of Mount Desert, in Hancock county, in the State of Maine.

Mr. Cushman presented a like memorial of inhabitants of Portsmouth, in the State of New Hampshire.

Mr. Grennell presented two like memorials of inhabitants of Leverett and Greenfield, in the State of Massachusetts.

Mr. Cushing presented two like memorials of inhabitants of Limerick, in York county, in the State of Maine, and of Newburyport, in the State of Massachusetts.

Mr. Calhoun, of Massachusetts, presented two like memorials of inhabitants of Stockbridge, in the State of Massachusetts, and of Ware, in the State of New Hampshire.

Mr. Parmenter presented a like memorial of inhabitants of Groton, in the State of Massachusetts.

Mr. Saltonstall presented a like memorial of inhabitants of Danvers, in the State of Massachusetts.

Mr. Robinson presented a memorial of inhabitants of Union, in the State of Maine, praying for a high court or congress of nations, for the purpose of settling great national disputes without a resort to war.

Mr. R. Fletcher presented a like memorial of inhabitants of Needham, in the State of Massachusetts.

Mr. Grennell presented a like memorial of inhabitants of Amherst, in the State of Massachusetts.

Mr. Borden presented a like memorial of inhabitants of Westport, in the State of Massachusetts.

Ordered, That the said several memorials be referred to the Committee on Foreign Affairs.

Mr. Lincoln presented a memorial of citizens, males and females, of Auburn, in the State of Massachusetts; also, a memorial of citizens of Leominster, in the same State, praying the immediate repeal of all orders and resolutions whereby the petitions of any class of people, on any subject, are laid on the table without being read, debated, printed, or referred.

Debate arising on these memorials, they were laid on the table, to be taken up in the order of presentation, according to the 51st rule of the House.

Mr. Everett presented resolutions adopted by the Legislature of the State of Vermont, on the 5th of November, 1838, as follows: Google

STATE OF VERMONT.

Resolved by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives be requested, to use their utmost efforts to prevent the annexation of Texas to the United States, and to procure the abolition of slavery and the slave trade in the District of Columbia, and the Territories of the United States, and the slave trade between the several States and Territories of the Union.

Resolved, That the adoption by the House of Representatives of the United States, on the 21st December last, [1837,] of the resolution by which "all petitions, memorials, and papers, touching the abolition of slavery, or the buying, selling, or transferring of slaves, in any State, District, or Territory of the United States," were "laid upon the table without being debated, printed, read, or referred," was a daring infringement of the right of the people to petition, and a flagrant violation of the constitution of the United States: and we do, in the name of the people of Vermont, protest against the passage of the same, or any similar resolution, by the present or any future Congress of the United States.

Resolved, That our Senators in Congress be instructed, and our Representatives requested, to present the foregoing resolutions to their respective Houses, and use their influence to carry the same into effect.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolutions to the President of the United States, and to each of our Senators and Representatives in Congress.

A motion was made by Mr. Everett, that the said resolutions be read, printed, and committed to the Committee of the Whole House on the state of the Union.

The Speaker decided that the resolutions came within the order of the House of the 12th of December ultimo, which directs "that every petition, memorial, resolution, proposition, or paper, touching or relating in any way, or to any extent whatever, to slavery as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table without being debated, printed, or referred:" and that the said resolutions of the Legislature of the State of Vermont would be laid on the table accordingly, without further action thereon, and without being debated, printed, or referred.

From this decision Mr. Everett took an appeal to the House.

And, after debate,

The previous question was moved by Mr. Bronson; when,

A motion was made by Mr. Parris, that the appeal do lie on the table.

A motion was then made by Mr. Morgan, at twenty-five minutes past four o'clock, that the House do adjourn; which was decided in the negative.

A motion was then made by Mr. Morgan, that there be a call of the House; which was also decided in the negative.

And then, at half past four o'clock, the House adjourned until to-morrow, twelve o'clock meridian.

TUESDAY, JANUARY 22, 1839.

Mr. Johnson, of Louisiana, gave notice that he would to-morrow move for leave to introduce a bill to amend an act entitled "An act establishing circuit courts in the districts of Kentucky, Tennessee, and Ohio," approved February 24, 1807.

Mr. Hopkins asked to be excused from further service on the Select

Committee appointed at the last session on the memorial of Francis P. Blair; and his request being granted, it was

Ordered, That another member be appointed of said committee in his stead; and

Mr. Stuart was appointed.

The House proceeded to the consideration of the report of the Committee on Expenditures in the War Department, in relation to the case of Samuel Lewis; when it was,

On motion of Mr. McKennan,

Ordered, That the further consideration of said report be postponed until Thursday next, the 24th instant.

Mr. Russell, from the Committee of Claims, made a report on the case of Ebenezer A. Lester, accompanied by a bill (No. 1052) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Campbell, of Tennessee, from the Committee of Claims, made a report on the petition of Joseph Jackson, of Tennessee, accompanied by a bill (No. 1053) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Campbell, leave was given to withdraw the papers of Joseph Jackson, accompanying the bill above reported.

Mr. Giddings, from the Committee of Claims, made unfavorable reports on the petitions of W. C. Miller, Benjamin Sayer, and T. D. Purifoy; which reports were ordered to lie on the table.

Mr. Chambers, from the Committee of Claims, made unfavorable reports on the cases of Richard Brannin and others, Abraham Forbes, and Gilbert Howell; which reports were ordered to lie on the table.

Mr. Saltonstall, from the Committee of Claims, made an unfavorable report on the petition of Henry Pierson; which report was committed to a Committee of the Whole House to-morrow.

Mr. De Graff, from the Committee on Commerce, made an unfavorable report on the case of David Griffing; which report was ordered to lie on the table.

Mr. Casey, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 64) entitled "An act authorizing the President of the United States to cause the mineral lands in the several States and Territories belonging to the United States to be sold as other public lands," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Casey, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 29) entitled "An act for the relief of sundry citizens of Arkansas, who lost their improvements in consequence of a treaty between the United States and the Choctaw Indians," reported the same with an amendment.

Ordered, That said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Casey, from the Committee on the Public Lands, reported a bill (No. 1054) to grant to the counties of Lee, Des Moines, Jackson, and Dubuque, in the Territory of Iowa, land to aid in erecting county buildings, accompanied by a report in writing; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Beirne, from the Committee for the District of Columbia, reported a bill (No. 1055) to incorporate the Washington City Benevolent Society; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Christopher H. Williams, from the Committee for the District of Columbia, reported two bills, viz :

No. 1056. A bill to incorporate the Navy Yard Beneficial Society of the city of Washington;

No. 1057. A bill to incorporate the Lafayette Beneficial Society of the city of Washington; which bills were read the first and second time, and, severally, committed to a Committee of the Whole House to-morrow.

On motion of Mr. Bouldin, it was

Ordered, (two-thirds voting therefor,) That Thursday, the 13th of February next, be assigned for the consideration of bills reported by the Committee for the District of Columbia, and that they be the special order for that day from and after one hour from the meeting of the House.

On motion of Mr. Lincoln,

Ordered, That the report of the Commissioner of the General Land Office, on the subject of the lands belonging to Gabriel Godfroy and Anthony Shaue, in the State of Ohio, be referred to the Committee on the Public Lands; and that the petition of inhabitants and trustees of Dublin township, in Mercer county, in the State of Ohio, in relation to said lands, be also referred to the same committee.

Mr. Martin, from the Committee on the Judiciary, to which was re-committed the bill (No. 491) to reorganize the district courts of the United States in the State of Alabama, reported the same with a further amendment; which was agreed to by the House.

Ordered, That the said bill be engrossed and read a third time to-day.

The said bill being engrossed, was read the third time; and, on the question, Shall it pass?

It passed in the affirmative.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

Mr. Carter, by leave, presented a petition of John Cocke, of Tennessee, setting forth that he was appointed a commissioner in 1827 to treat with the Cherokee Indians for a cession of land to the United States, and that, in the discharge of his duties as commissioner, he advanced money to several influential Indian chiefs; that he has been refused a credit by the accounting officers for these advances, and that a judgment has been recovered against him at the suit of the United States for their amount; and praying to be released from the payment of said judgment, and that his account may be credited for said advances; which petition was referred to the Committee of Claims.

Mr. Legare, by leave, presented a memorial of the Charleston Chamber of Commerce, (South Carolina,) praying the erection of an additional light-house, sundry buoys, and two beacon-lights, for the security of the navigation of the bar and harbor of Charleston; which memorial was referred to the Committee on Commerce.

Mr. Sawyer, by leave, presented a resolution of the General Assembly of the State of North Carolina, adopted on the 8th of January instant, requesting the Senators and Representatives in Congress from that State to

use their exertions in procuring from the General Government an appropriation for opening an inlet at or near *Nyg's head*, on the coast of North Carolina; which resolution was referred to the Committee on Commerce.

Mr. Harlan, from the Committee on Private Land Claims, reported a joint resolution (No. 39) for the relief of Abraham Wright, of New York; which resolution was read the first and second time, and ordered to be engrossed, and read a third time to-day.

Mr. Rariden, from the Committee on Private Land Claims, to which was referred the bill from the Senate (No. 21) entitled "An act to confirm the sale of certain reservations," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

The said bill was then read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Cheatham, from the Committee on Private Land Claims, made an unfavorable report on the petition of Marcus Spalding; which report was ordered to lie on the table.

Mr. Graham, of North Carolina, from the Committee on Indian Affairs, made an unfavorable report on the petition of James White; which was ordered to lie on the table.

On motion of Mr. McKay,

Ordered, That the Committee on Military Affairs be discharged from the further consideration of the memorial of the Legislature of the Territory of Wisconsin, for a supply of arms for the militia thereof; also, from the petition of the heirs of George Baldwin; and that the said petitions do lie on the table.

Mr. Brouson, from the Committee on the Territories, reported two bills, viz :

No. 1058. A bill to authorize the election or appointment of certain officers in the Territory of Iowa, and for other purposes;

No. 1059. A bill to amend the act establishing the Territorial Government of Wisconsin;

which bills were, severally, read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Morgan,

Ordered, That the Committee on Revolutionary Pensions be discharged from the petitions of Zalmon Burnett and Isaac Moss; and that they lie on the table.

On motion of Mr. Joseph Johnson,

Ordered, That the Committee on Revolutionary Pensions be discharged from the petition of John Porter; and that it lie on the table.

On motion of Mr. Childs,

Ordered, That the Committee on Revolutionary Pensions be discharged from the petitions of Lydia Steele, (daughter of General Sullivan,) William Kerr, John W. W. Godbold, and John McLain; and that they lie on the table.

Mr. Childs, from the Committee on Revolutionary Pensions, made a report on the case of Elijah Foochee; accompanied by a bill (No. 1060) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Whittlesey,

Ordered, That the Committee on Revolutionary Pensions be discharged from the petitions of George Rawlings, Benjamin Eaton, Amos Cooke,

Alice Downing, the heirs of David Bradish, and the heirs of John Sprigg Belt; and that said petitions do lie on the table.

On motion of Mr. Ewing,

Ordered, That the Committee on Revolutionary Pensions be discharged from the petition of Elizabeth Gassaway; and that it lie on the table.

On motion of Mr. Mitchell,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the petitions of Joseph Rose, James Smallwood, and John Perham; and that the said petitions do lie on the table.

On motion of Mr. Herod,

Ordered, That the Committee on Invalid Pensions be discharged from the cases of Leonard Joines, William Steele, John Hibbert, John Thompson (of Virginia,) Orris Call, and Jacob Headerick; and that the said cases do lie on the table.

Mr. Plumer, from the Committee on Invalid Pensions, made unfavorable reports on the cases of Anna Addison, William Wringfield, and Nimrod Sparks; which were laid on the table.

On motion of Mr. Plumer,

Ordered, That the Committee on Invalid Pensions be discharged from the cases of Thomas Flanagan and John Freyer; and that the said cases do lie on the table.

On motion of Mr. Allen, of Vermont,

Ordered, That the Committee on Invalid Pensions be discharged from the petition of Daniel Keifer; and that it lie on the table.

Mr. Menefee, from the Committee on Patents, to which was referred the bill from the Senate (No. 177) entitled "An act to renew a patent to Thomas Blanchard," reported the same with an amendment; which was read, and agreed to by the House.

Ordered, That the amendment be engrossed, and that the bill be read a third time to-day.

Mr. Mercer, from the Committee on Roads and Canals, reported a bill (No. 1061) to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Mercer,

Ordered, That the Committee of the Whole House on the state of the Union, to which was committed, on the 27th of June, 1838, sundry amendments, reported by Mr. Mercer, from the Committee on Roads and Canals, to the bill (No. 766) making appropriations for the improvement of certain harbors, and for surveys of certain harbors, for the year 1838, be discharged from the consideration of said amendments, and that they be re-committed to the Committee on Roads and Canals.

Mr. Mercer, from the Committee on Roads and Canals, to which was re-committed the bill (No. 924) giving the assent of Congress to an act of the General Assembly of Virginia, entitled "An act to amend an act incorporating the Falmouth and Alexandria Railroad Company," which passed February 2, 1838, reported the same with amendments; which were read, and agreed to by the House.

Ordered That the said bill be engrossed, and read the third time to-morrow.

Mr. Lincoln, from the Committee on the Public Buildings and Grounds,

reported a bill (No. 1062) making appropriations for certain repairs and improvements upon the public buildings and grounds, and for other purposes : which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles :

No. 80. An act further to regulate the transportation of the mail upon railroads ;

No. 961. An act for the relief of Bradbury T. Jipson ;
and found the same truly enrolled : when

The Speaker signed the said bills.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed bills and a resolution of the following titles :

No. 18. An act to prevent the counterfeiting of any foreign copper, gold, silver, or other coin, and to prevent the bringing into the United States or uttering any counterfeit foreign copper, gold, silver, or other coin ;

No. 67. An act in addition to an act for the relief of Walter Loomis and Abel Gay, approved July 2, 1836 ;

No. 185. An act for the relief of Gad Humphreys, of the Territory of Florida ;

No. 9. Joint resolution for the purchase of the island at the confluence of the St. Peter's and Mississippi rivers ;
in which bills and resolution I am directed to ask the concurrence of this House. And then he withdrew.

The message received from the President of the United States yesterday, was read, and is as follows :

WASHINGTON, *January 18, 1839.*

In addition to the information contained in a report from the Secretary of State, communicated with my message of the 30th April, 1838, I transmit to the House of Representatives a report from the Secretary of War, dated the 16th instant, in answer to a resolution of the House of the 19th March last,* and containing so much of the information called for by said resolution as could be furnished by his Department.

M. VAN BUREN.

Ordered, That said message be referred to the Committee on Foreign Affairs.

The Speaker laid before the House sundry communications, viz :

I. A letter from the Secretary of the Navy, stating that the survey of Newark bay, called for by the House on the 14th instant, was conducted under the direction of the Treasury Department, and that the Navy Department is consequently not in possession of the chart of said survey ; which letter was laid on the table.

II. A letter from the Secretary of War, transmitting information called for by the House on the 14th instant, in relation to the improvements in the harbor of Marcus Hook ; which letter was referred to the Committee of Ways and Means.

* Relative to the intermeddling of any foreign Government, or subjects or officers thereof, with the Indian tribes in Michigan, Wisconsin, the territory beyond the Rocky mountains, or elsewhere, within the limits of the United States.

III. A letter from the Secretary of War, transmitting information called for on the 14th instant, relative to the pursuit, capture, and execution of certain reputed Indian refugees and murderers within the limits of one of the States; which letter was ordered to lie on the table.

IV. A letter from the Secretary of the Navy, transmitting a statement of the contracts made by the Navy Department on behalf of the United States during the year 1838; which letter was ordered to lie on the table.

The rule being suspended for the purpose of receiving the same,

Mr. Everett moved the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the Secretary of War be directed to lay before this House copies of the instructions given for negotiating the treaties with the Potawatamie Indians of the 20th, 26th, and 27th October, 1832, and of all correspondence of or with the Department before and after those dates, relating to the negotiation of said treaties, or to their execution before the ratification of the same; and also copies of all the bills of purchase of all goods, wares and merchandise, and horses delivered to said Indians, or to other persons during the said negotiations, or at the time of signing said treaties, for any purpose, or subsequently delivered in execution of the same; together with a statement of the expense of negotiating said treaties, with the names of the persons to whom paid, and the sum paid to each.

The bill from the Senate (No. 78) entitled "An act to amend an act entitled 'An act to establish a criminal court in the District of Columbia,'" was read the first and second time, and referred to the Committee on the Judiciary.

The bill from the Senate (No. 1) entitled "An act providing for the reduction and graduation of the price of the public lands," was read the first and second time; when

A motion was made by Mr. Casey that the said bill be referred to the Committee on the Public Lands.

A motion was made by Mr. Lewis Williams, of North Carolina, that the said bill be referred to the Select Committee of twenty-six members, appointed on a communication from the Secretary of the Treasury in relation to the public lands.

The question recurred, first, on the motion that the bill be referred to the Committee on the Public Lands;

And, after debate,

A motion was made by Mr. Montgomery that the bill do lie on the table: when,

On motion of Mr. Lincoln, a call of the House was ordered; and the roll being twice called over, all the members who have appeared at the present session answered to their names except—

Messrs. Hugh J. Anderson, Samuel Birdsall, William Key Bond, James W. Bouldin, George N. Briggs, John C. Brodhead, Jesse A. Bynum, John C. Clark, William K. Clowney, Walter Coles, Henry W. Connor, Robert Craig, Edward Curtis, Edmund Deberry, John Dennis, Franklin H. Elmore, James Farrington, Richard Fletcher, Isaac Fletcher, Millard Fillmore, Henry A. Foster, Thomas Glascock, Seaton Grantland, Abraham P. Grant, Hiram Gray, Elisha Haley, William Halsted, Robert H. Hammond, James Harlan, Albert G. Harrison, Hopkins Holsey, Orrin Holt, George W. Hopkins, Edward B. Hubley, Jabez Jackson, Nathaniel Jones.

John W. Jones, George M. Keim, Daniel P. Leadbetter, Dixon H. Lewis, Richard P. Marvin, William L. May, Charles McClure, Mathias Morris, Samuel W. Morris, George W. Owens, Amasa J. Parker, Lemuel Paynter, Luther C. Peck, Lancelot Phelps, William W. Potter, Zadock Pratt, Sergeant S. Prentiss, Harvey Putnam, Joseph F. Randolph, Luther Reily, R. Barnwell Rhett, John P. Richardson, Adam W. Snyder, Archibald Stuart, Isaac Toucey, David D. Wagener, Joseph Weeks, Thomas T. Whittlesey, Christopher H. Williams, Henry A. Wise.

The doors were then closed, and the following-named members were excused for their non-attendance, viz :

George N. Briggs, William K. Clowney, Robert Craig, John Dennis, Isaac Fletcher, Robert H. Hammond, John W. Jones, Daniel P. Leadbetter, William L. May, Mathias Morris, Lemuel Paynter, Sergeant S. Prentiss, R. Barnwell Rhett, Joseph Weeks.

And the following-named members were absent on leave on business of the House, viz :

Edward Curtis, Henry A. Foster, James Harlan, George W. Hopkins, George W. Owens, David D. Wagener, and Henry A. Wise.

A motion was made by Mr. Thompson, that further proceedings in the call be dispensed with ; which motion was disagreed to.

A motion was made by Mr. Thompson, that the 57th rule be executed in regard to the absentees who have not been excused ; which motion was disagreed to. And then,

On motion of Mr. Dromagoole,

Further proceedings in the call were dispensed with.

And the question was then put on the motion made by Mr. Montgomery, that the said bill do lie on the table ;

And passed in the affirmative, { Yeas, : : : : : 102,
 { Nays, : : : : : 98.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
Hugh J. Anderson
J. Banker Aycrigg
Linn Banks
Nathaniel B. Borden
Andrew Buchanan
William B. Calhoun
John Calhoun
John Campbell
John Chambers
Timothy Childs
Charles D. Coffin
Walter Coles
Thomas Corwin
Robert B. Cranston
Edward Dadington
Thomas Davee
Edward Davies
Edmund Deberry
George Evans
Horace Everett
Richard Fletcher
Millard Fillmore

Mr. James Garland
Joshua R. Giddings
James Graham
Seaton Grantland
William J. Graves
George Grennell, jr.
John K. Griffin
Elisha Haley
Hiland Hall
Alexander Harper
William S. Hastings
Richard Hawes
Micajah T. Hawkins
Thomas Henry
Ogden Hoffman
George W. Hopkins
Robert M. T. Hunter
Jabez Jackson
Daniel Jenifer
William Cost Johnson
John P. Kennedy
Hugh S. Legare
Levi Lincoln
Francis Mallory
Richard P. Marvin
James M. Mason

Mr. Samson Mason
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
William Montgomery
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
William Parmenter
Virgil D. Parris
James A. Pearce
Luther C. Peck
David Petrikin
Francis W. Pickens
John Pepe
David Potts, jr.
William W. Potter
Harvey Putnam
John Reed
Abraham Rencher
Joseph Ridgway

Mr. John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Samuel T. Sawyer
John Sergeant
Augustine H. Shepperd

Mr. Charles Shepard
Mark H. Sibley
William Stade
William W. Southgate
Edward Stanly
Charles C. Stratton
John Taffaferro
Waddy Thompson, jr.

Mr. Joseph L. Tillinghast
Obadiah Titus
George W. Toland
Joseph R. Underwood
John White
Lewis Williams
John T. H. Worthington
Thomas Jones Yost.

Those who voted in the negative are—

Mr. John T. Andrews
Charles G. Atherton
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsell
Ratcliff Boon
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
John Chaney
Reuben Chapman
Richard Cheatham
Jesse F. Cleveland
George W. Crabb
Isaac E. Cravy
John W. Crockett
Caleb Cushing
Samuel Cushman
John I. De Graff
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards
John Ewing
James Farrington

Mr. Jacob Fry, jr.
Albert Gallop
Rice Garland
Patrick G. Goode
William Graham
Hiram Gray
Thomas L. Hamer
Charles E. Haynes
William Herod
Benjamin C. Howard
William H. Hunter
Samuel Ingham
Thomas B. Jackson
Henry Johnson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxad Loomis
Francis S. Lyon
Joshua L. Martin
Abram P. Maury
William L. May
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
Ely Moore
William S. Morgan

Mr. John L. Murray
William H. Noble
Annasa J. Parker
Lancelot Phelps
Arnold Plumer
Zadock Pratt
John H. Prentiss
Sergeant S. Prentiss
James Rariden
Francis E. Rives
Daniel Sheffer
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder
James B. Spencer
Archibald Stuart
William Stone
Henry Swearingen
William Taylor
Francis Thomas
George W. Towns
Hopkins L. Tursey
Henry Vail
Abraham Vanderveer
Taylor Webster
Albert S. White
Thomas T. Whitley
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Archibald Yell.

And so the said bill was laid on the table.

The bill from the Senate (No. 53) entitled "An act for the continuation of the Cumberland road in the States of Ohio, Indiana, and Illinois," was read the first and second time; when

A motion was made by Mr. Coles that the said bill do lie on the table. And pending the question,

The House adjourned, at a quarter before four o'clock, until to-morrow, twelve o'clock meridian.

WEDNESDAY, JANUARY 23, 1839.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker: The Senate have passed bills of the following titles, viz:
No. 2. An act to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof;
No. 4. An act for the relief of Pierre Menard and others;
No. 100. An act to abolish imprisonment for debt in certain cases,

in which bills I am directed to ask the concurrence of this House. And then he withdrew.

A motion was made by Mr. Petrikin that the House do reconsider the vote of yesterday by which the bill from the Senate (No. 1) entitled "An act providing for the reduction and graduation of the price of the public lands," was ordered to lie on the table.

In pursuance of notice given yesterday, Mr. Johnson, of Louisiana, asked leave to introduce a bill to amend an act entitled "An act establishing circuit courts, and abridging the jurisdiction of the district courts in the districts of Kentucky, Tennessee, and Ohio," approved February 24, 1807.

And leave being given,

Mr. Johnson introduced said bill, (No. 1063;) which was read the first and second time, and referred to the Committee on the Judiciary.

Mr. Giddings, from the Committee of Claims, made unfavorable reports on the cases of William J. Owens, and of inhabitants of St. Augustine, in Florida, for reimbursement of expenditures on the fortifications of that city; which reports were ordered to lie on the table.

Mr. Chambers, from the Committee of Claims, to which the subject was referred on the 20th of December, reported a bill (No. 1064) for the relief of certain officers of the Florida militia, accompanied by a report; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Williams, of New Hampshire, from the Committee of Claims, made an unfavorable report on the petition of Richard Mackall; which report was ordered to lie on the table.

Mr. Saltonstall, from the Committee of Claims, made an unfavorable report on the petition of Dr. B. M. Byrne; which report was ordered to lie on the table.

On motion of Mr. Cushman,

Ordered, That the Committee on Commerce be discharged from the consideration of the petition of merchants of New York for an allowance of drawback of duty on coal consumed on board steam-vessels, and that said petition be referred to the Committee of the Whole House on the state of the Union, to which is committed the bill (No. 1010) on that subject.

Mr. Mason, of Virginia, from the Committee on Commerce, made an unfavorable report on the petition of Fauvel Gourand de la Martinique, consul of France in the State of Rhode Island; which report was ordered to lie on the table.

Mr. Mason, of Virginia, from the Committee on Commerce, reported two bills, viz:

No. 1065. A bill for the relief of Samuel Hoffman;

No. 1066. A bill for the relief of Robert Milnor and John Thompson; accompanied by a report in each case; which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Casey,

Ordered, That the Committee on the Public Lands be discharged from the case of George Kinder, and that it be referred to the Committee of Claims.

Mr. Bronson, from the Committee on the Territories, to which was referred, on the 14th of January instant, a copy of an act of the Territory

of Wisconsin to incorporate the banks of Racine and Iowa, reported a bill (No. 1067) to approve and confirm an act of the Legislative Assembly of the Territory of Wisconsin, and for other purposes; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Bronson, from the Committee on the Territories, reported a bill (No. 1068) to enable the people of Iowa to form a constitution and State Government, and for the admission of such State into the Union; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Morgan,

Ordered, That the Committee on Revolutionary Pensions be discharged from the petition of Justus Rose, and that it lie on the table.

Mr. Morgan, from the Committee on Revolutionary Pensions, reported a bill (No. 1069) for the relief of the executors of Robert McFarland; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Fry, from the Committee on Revolutionary Pensions, reported a bill (No. 1070) granting a pension to Reuben Murray; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Joseph Johnson,

Ordered, That the Committee on Revolutionary Pensions be discharged from the case of John Wright, and that it lie on the table.

Mr. Sergeant, from the Select Committee on the subject of steam-engines and steam-boilers, reported, by leave, (in part,) a bill (No. 1071) supplemental to the act entitled "An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam;" which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Sergeant, by leave, presented a memorial of Susan Bainbridge, widow of Commodore William Bainbridge, deceased, late of the navy of the United States, setting forth that, as her late husband died before the passage of the act of March 3, 1837, in relation to navy pensioners, it has been decided at the Navy Department that she is not entitled to the benefits of that act, and praying that the benefits of said act may be extended to her; which memorial was referred to the Committee on Naval Affairs.

Mr. Crockett, by leave, presented a memorial of Ann Eliza Laurie, of Calloway county, in the State of Kentucky, praying that the balance of a naval pension due to her as one of the children of Captain Joseph Tarbell, late of the navy of the United States, deceased, and which is withheld by the United States, may now be paid; which memorial was referred to the Committee on Naval Affairs.

Mr. Underwood, by leave, presented a petition of Thomas Baldredge, of Barren county, in the State of Kentucky, praying a pension in consideration of services as a militiaman in the revolutionary war; which petition was referred to the Committee on Revolutionary Pensions.

Mr. Underwood, by leave, presented a memorial of citizens of Portage county, in the State of Ohio, praying a repeal of the act passed at the last session of Congress, to provide for the punishment of certain crimes against the United States, commonly called the "*neutrality law*;" which memorial was referred to the Committee on Foreign Affairs.

Mr. Herod, by leave, presented a petition of William Rufus Taylor and others, heirs and representatives of Nathaniel Ashby, deceased, praying compensation for the services of the said Ashby, as a captain in the revolutionary army; which petition was referred to the Committee on Revolutionary Claims.

Mr. Kennedy, by leave, moved the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the Secretary of the Navy be required to communicate to this House a list of the various articles of provisions, hospital stores, canvass, cordage, lumber, hay, coal, materials of iron, copper, leather, and all other articles *not enumerated in contracts*, purchased and procured for or at the various naval stations of Boston, New York, Baltimore, Norfolk, and Pensacola, during the year 1838; stating from whom the same were purchased, and the prices paid for each article.

Mr. Parker, from the Committee on Indian Affairs, to which was referred the memorial of the Tuscarora Indians, reported a bill (No. 1072) for the relief of the said Indians; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

The Speaker laid before the House a letter from the Secretary of War, transmitting a report from the Second Auditor in answer to the call of the House of the 5th of January instant, for "a statement of the final settlement of the accounts of Lewis Cass, late superintendent of Indian affairs; of the annual salary of said superintendent; and of any extra compensation, commissions, or other allowances over and above his annual salary, which have been credited or allowed to him at the Treasury Department; and at what time, and under what law or rule of the Department, said allowances were made; together with any opinion which may have been given by the Attorney General in regard to said accounts and allowances;" which letter and report were ordered to lie on the table.

On motion of Mr. Menefee, the House proceeded to the consideration of the bill from the Senate (No. 177) entitled "An act to renew the patent of Thomas Blanchard;" when

The said bill was read the third time; and the question was stated, Shall it pass?

A motion was made by Mr. Howard, that the further consideration thereof be postponed until Friday next.

Mr. Menefee then moved the previous question.

A motion was made by Mr. Petrikin that the said bill do lie on the table; which was decided in the negative.

The previous question, moved by Mr. Menefee, was then demanded by a majority of the members present;

And the said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the bill pass? (the motion to postpone being set aside by the previous question,)

And passed in the affirmative,	{ Yeas,	. . . . .	90,
	{ Nays,	. . . . .	72.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. James Alexander, jr.
 John W. Allen
 Linn Banks
 William Beatty
 Cyrus Beers
 John Bell
 Richard Biddle
 William Key Bond
 James W. Bouldin
 William B. Calhoun
 John Calhoun
 William B. Campbell
 John Chambers
 Richard Cheatham
 Timothy Childs
 Jesse F. Cleveland
 Thomas Corwin
 George W. Crabb
 Robert B. Cranston
 John W. Crockett
 Caleb Cushing
 Edward Darlington
 Edward Davies
 Edmund Deberry
 John I. De Graff
 George H. Dunn
 George Evans
 Horace Everett
 John Ewing
 Jacob Fry, jr.

Mr. Rice Garland
 Patrick G. Goede
 William Graham
 William J. Graves
 George Grennell, jr.
 Albert G. Harrison
 Alexander Harper
 William S. Hastings
 Thomas Henry
 William Herod
 Jabez Jackson
 Henry Johnson
 William Cost Johnson
 John P. Kennedy
 Hugh S. Legare
 Levi Lincoln
 Francis S. Lyon
 Richard P. Marvin
 Samson Mason
 William L. May
 John P. B. Maxwell
 Richard H. Menefee
 Charles F. Mitchell
 Calvary Morris
 John L. Murray
 Charles Naylor
 James A. Pearce
 Luther C. Peck
 Lancelot Phelps
 Arnold Plumer

Mr. David Potts, jr.
 William W. Potter
 Sergeant S. Prentiss
 Harvey Putnam
 James Rariden
 John Reed
 John P. Richardson
 Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Salmonstall
 John Sergeant
 Daniel Sheffer
 Augustine H. Shepperd
 Charles Shepard
 Ebenezer J. Shicks
 William W. Southgate
 Archibald Stuart
 William Stone
 John Taliaferro
 Waddy Thompson, jr.
 Obadiah Titus
 Joseph R. Underwood
 Albert S. White
 John White
 Sherrod Williams
 Christopher H. Williams
 Thomas J. Word
 Archibald Yell
 Thomas Jones Yorks.

Those who voted in the negative are—

Mr. John Quincy Adams
 Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 Bennet Bioknell
 Ratliff Boon
 John C. Brodhead
 Isaac H. Bronson
 Andrew Buchanan
 C. C. Cambreleng
 William B. Carter
 Zadok Casey
 Reuben Chapman
 Walter Coles
 Henry W. Connor
 Robert Craig
 Samuel Cushman
 Thomas Daves
 George C. Dromgoole
 John Edwards
 Richard Fletcher
 Millard Fillmore
 James Garland
 Abraham P. Grant

Mr. John K. Griffin
 Elisha Haley
 Hiland Hall
 Thomas L. Hamer
 Micajah T. Hawkins
 Charles E. Haynes
 Hopkins Holsey
 Benjamin C. Howard
 Thomas B. Jackson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Daniel P. Leadbetter
 Henry Logan
 Arphaxed Loomis
 Joshua L. Martin
 James J. McKay
 Abraham McClellan
 Charles F. Mercer
 John J. Milligan
 John Miller
 William Montgomery

Mr. William S. Morgan
 Samuel W. Morris
 William H. Noble
 Joseph C. Noyes
 Amasa J. Parker
 Virgil D. Parris
 David Petrikin
 Zadock Pratt
 John H. Prentiss
 Abraham Rencher
 Francis E. Rives
 Matthias Shepler
 Adam W. Snyder
 James B. Spencer
 Henry Swearingen
 William Taylor
 Francis Thomas
 Hopkins I. Tansy
 Henry Vail
 Abraham Vanderveer
 Thomas T. Whittlesey
 Lewis Williams
 Jared W. Williams
 John T. H. Worthington.

And so the said bill was passed.

The title of said bill was then amended to read "An act to amend and carry into effect the intention of an act entitled 'An act to renew the patent of Thomas Blanchard,' approved June 30, 1834."

Ordered, That the Clerk acquaint the Senate therewith.

The House then proceeded to the consideration of the motion made by Mr. Petrikin this day, that the House do reconsider the vote of yesterday by which the bill from the Senate (No. 1) entitled "An act providing for the reduction and graduation of the price of the public lands," was ordered to lie on the table.

On motion of Mr. William Cost Johnson, a call of the House was ordered; and the roll being called over twice, all the members answered to their names who have appeared at the present session, except those who are absent on leave on business of the House, and except also—

Messrs. George N. Briggs, Jesse A. Bynum, Robert Craig, John Dennis, George C. Dromgoole, Franklin H. Elmore, James Farrington, Isaac Fletcher, Albert Gallup, Thomas Glascock, William Halsted, Robert H. Hammond, Edward B. Hubley, William H. Hunter, Daniel Jenifer, John W. Jones, Charles McClure, Ely Moore, Mathias Morris, John Palmer, Lemuel Paynter, Joseph F. Randolph, Luther Reily, R. Barnwell Rhett, Joseph Weeks, Joseph L. Williams.

On motion of Mr. Haynes, further proceedings in the call were dispensed with;

And the question recurred on the motion to reconsider: when

A motion was made by Mr. Lewis Williams that the said motion to reconsider do lie on the table;

And the question being put,

It passed in the negative,	{ Yeas,	. . . . .	96,
	{ Nays,	. . . . .	102.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. Heman Allen
John W. Allen
J. Banker Aycrigg
Linn Banks
John Bell
William Key Bond
Nathaniel B. Borden
William B. Calhoun
John Calhoun
John Campbell
John Chambers
Timothy Childs
John C. Clark
William K. Clowney
Charles D. Coffin
Henry W. Connor
Thomas Corwin
Robert B. Cranston
Edward Darlington
Thomas Davee
Edward Davies
Edmund Deberry
George Evans
Horace Everett
Richard Fletcher
Millard Fillmore
James Garland
James Graham
Seaton Grantland

Mr. William J. Graves
George Grennell, jr.
John K. Griffin
Elisha Haley
Hiland Hall
Alexander Harper
William S. Hastings
Richard Hawes
Micajah T. Hawkins
Thomas Henry
Ogden Hoffman
Robert M. T. Hunter
Jabez Jackson
William Cost Johnson
John P. Kennedy
Hugh S. Legare
Levi Lincoln
Francis Mallory
Richard P. Marvin
James M. Mason
Samson Mason
John B. P. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
William Montgomery
Calvary Morris

Mr. Charles Naylor
Joseph C. Noyes
Charles Ogle
William Parmenter
James A. Pearce
Luther C. Peck
Francis W. Pickens
John Pope
David Potts, jr.
Harvey Putnam
John Reed
Abraham Rencher
John P. Richardson
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Samuel T. Sawyer
John Sergeant
Augustine H. Shepperd
Charles Shepard
Mark H. Sibley
William Slade
William W. Southgate
Edward Stanly
Charles C. Stratton
John Taliaferro

Mr. Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland

Mr. Joseph R. Underwood
John White
Thomas T. Whittlesey

Mr. Lewis Williams
John T. H. Worthington
Thomas Jones York.

Those who voted in the negative are—

Mr. James Alexander, jr.
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Richard Biddle
Samuel Birdsell
Ratliff Boon
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
John Chaney
Reuben Chapman
Richard Cheatham
Jesse F. Cleveland
Walter Coles
George W. Crabb
Isaac E. Cray
Caleb Cushing
Samuel Cushman
John I. De Graff
Alexander Duncan
George H. Dunn
John Ewing
Jacob Fry, jr.
Rice Garland

Mr. Patrick G. Goode
William Graham
Abraham P. Grant
Hiram Gray
Thomas L. Hamer
Albert G. Harrison
Charles E. Haynes
William Herod
Hopkins Holsey
Orrin Holt
Benjamin C. Howard
Samuel Ingham
Thomas B. Jackson
Henry Johnson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Francis S. Lyon
Joshua L. Martin
Abram P. Maury
William L. May
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble

Mr. Aames J. Parker
Virgil D. Parris
David Petrikin
Lancelot Phelps
Arnold Plumer
Zadock Pratt
John H. Prentiss
Sergeant S. Prentiss
James Rariden
Francis E. Rives
Daniel Sheffer
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder
James B. Spencer
Archibald Stuart
William Stone
Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
Taylor Webster
Albert S. White
Sherrod Williams
Jared W. Williams
Joseph L. Williams
Christopher H. Williams
Thomas J. Word
Archibald Yell.

The question was then put on the motion made by Mr. Petrikin, that the House do reconsider the vote by which the bill providing for the reduction and graduation of the price of the public lands was ordered to lie on the table;

And passed in the negative, { Yeas, 98,
Nays, 99.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Richard Biddle
Samuel Birdsell
Ratliff Boon
Isaac H. Bronson
Andrew Buchanan
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey

Mr. John Chaney
Reuben Chapman
Richard Cheatham
Jesse F. Cleveland
George W. Crabb
Isaac E. Cray
John W. Crockett
Caleb Cushing
Samuel Cushman
Thomas Davee
John I. De Graff
Alexander Duncan
George H. Dunn
John Edwards
John Ewing
Jacob Fry, jr.

Mr. Albert Gallup
Rice Garland
William Graham
Abraham P. Grant
Hiram Gray
Thomas L. Hamer
Albert G. Harrison
Charles E. Haynes
William Herod
Hopkins Holsey
Orrin Holt
Benjamin C. Howard
Samuel Ingham
Thomas B. Jackson
Henry Johnson
Joseph Johnson

Mr. Nathaniel Jones
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Francis S. Lyon
Joshua L. Martin
Abram P. Maury
William L. May
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
William S. Morgan
Samuel W. Morris
John L. Murray

Mr. William H. Noble
Amasa J. Parker
Virgil D. Parris
David Petrikin
Lancelot Phelps
Arnold Plumer
John H. Prentiss
Sergeant S. Prentiss
James Rariden
Francis E. Rives
Daniel Sheffer
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder
James B. Spencer
Archibald Stuart
William Stone

Mr. Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Abraham Vandervoer
Taylor Webster
Joseph Weeks
Albert S. White
Jared W. Williams
Joseph L. Williams
Thomas J. Word
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
J. Banker Ayrcrigg
Linn Banks
John Bell
William Key Bond
Nathaniel B. Borden
William B. Calhoun
John Calhoun
John Campbell
John Chambers
Timothy Childs
John C. Clark
William K. Clowney
Charles D. Coffin
Walter Coles
Henry W. Connor
Thomas Corwin
Robert B. Cranston
Edward Darlington
Edward Davies
Edmund Deberry
George Evans
Horace Everett
Richard Fletcher
Millard Fillmore
Joshua R. Giddings
Patrick G. Goode
James Graham
William J. Graves
George Grennell, jr.
John K. Griffin

Mr. Elisha Haley
Hiland Hall
Alexander Harper
William S. Hastings
Richard Hawes
Micajah T. Hawkins
Thomas Henry
Ogden Hoffman
Robert M. T. Hunter
Daniel Jenifer
William Cost Johnson
John P. Kennedy
Hugh S. Legare
Levi Lincoln
Francis Mallory
Richard P. Marvin
James M. Mason
Samson Mason
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefec
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
William Montgomery
Matthias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
William Parmenter
James A. Pearce
Luther C. Peek

Mr. Francis W. Pickens
John Pope
David Potts, jr.
Harvey Putnam
John Reed
Abraham Rencher
John P. Richardson
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Samuel T. Sawyer
John Sergeant
Augustine H. Shepperd
Charles Shepard
Mark H. Sibley
William Slade
William W. Southgate
Edward Stanly
Charles C. Stratton
John Talaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
John White
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams
John T. H. Worthington
Thomas Jones Yorke.

The House proceeded to the consideration of the bill from the Senate (No. 53) "for the continuation of the Cumberland road in the States of Ohio, Indiana, and Illinois."

The question recurred on the motion made by Mr. Coles, yesterday, that the said bill do lie on the table ;

And being put,

It passed in the negative, { Yeas, 77,
Nays, 105.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John T. Andrews
Charles G. Atherton

Mr. Linn Banks
Andrew Beirne

Mr. Bennet Bicknell
Samuel J. Birdsall

Mr. C. C. Cambreleng
 William B. Campbell
 William B. Carter
 Reuben Chapman
 Richard Cheatham
 Jesse F. Cleveland
 William K. Clowney
 Walter Coles
 Henry W. Connor
 George W. Crabb
 Samuel Cushman
 Edward Davies
 Edmund Deberry
 James Garland
 Rice Garland
 James Graham
 John K. Griffin
 Elisha Haley
 Richard Hawes
 Micajah T. Hawkins
 Charles E. Haynes
 Hopkins Halsey
 Orrin Holt
 Robert M. T. Hunter

Mr. Thomas B. Jackson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 John Klingsmith, jr.
 Hugh S. Legare
 Dixon H. Lewis
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 James M. Mason
 Joshua L. Martin
 Abram P. Maury
 James J. McKay
 Abraham McClellan
 William Montgomery
 Samuel W. Morris
 John L. Murray
 William H. Noble
 Amasa J. Parker
 David Petrikin
 Francis W. Pickens
 John H. Prentiss
 Sergeant S. Prentiss

Mr. Abraham Rencher
 John P. Richardson
 Francis E. Rives
 John Robertson
 Edward Rumsey
 Samuel T. Sawyer
 Augustine H. Shepperd
 Charles Shepard
 James B. Spencer
 Edward Stanly
 William Stone
 Charles C. Stratton
 John Taliaferro
 Waddy Thompson, jr.
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Joseph R. Underwood
 Joseph Weeks
 Lewis Williams
 Sherrod Williams
 Jared W. Williams
 Thomas J. Word.

Those who voted in the negative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 J. Banker Ayerigg
 William Beatty
 John Bell
 Richard Biddle
 William Key Bond
 Ratliff Boon
 Nathaniel B. Borden
 Andrew Buchanan
 William B. Calhoun
 John Calhoun
 Zadok Casey
 John Chambers
 John Chaney
 Timothy Childs
 John C. Clark
 Charles D. Coffin
 Thomas Corwin
 Robert B. Cranston
 John W. Crockett
 Caleb Cushing
 Edward Darlington
 John I. De Graff
 Alexander Duncan
 George H. Dunn
 John Edwards
 George Evans
 John Ewing
 Richard Fletcher
 Jacob Fry, jr.
 Albert Gallup
 Joshua R. Giddings

Mr. Patrick G. Goode
 William Graham
 Abram P. Grant
 George Grennell, jr.
 Hiland Hell
 Thomas L. Hamer
 Albert G. Harrison
 Alexander Harper
 William S. Hastings
 Thomas Henry
 William Herod
 Ogden Hoffman
 Benjamin C. Howard
 Samuel Ingham
 Daniel Jenifer
 Henry Johnson
 William Cost Johnson
 John P. Kennedy
 Daniel P. Leadbetter
 Levi Lincoln
 Henry Logan
 Samson Mason
 William L. May
 John P. B. Maxwell
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 John Miller
 Charles F. Mitchell
 William S. Morgan
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle

Mr. William Parmenter
 James A. Pearce
 Luther C. Peck
 Lancelot Phelps
 Arnold Plumer
 John Pope
 David Potts, jr.
 Harvey Putnam
 James Rariden
 John Reed
 Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Saltonstall
 John Sergeant
 Daniel Sheffer
 Matthias Sheplor
 Mark H. Sibley
 Adam W. Snyder
 William W. Southgate
 Henry Swearingen.
 William Taylor
 Francis Thomas
 Joseph L. Tillinghast
 Obadiah Titus
 George W. Toland
 Henry Vail
 Taylor Webster
 Albert S. White
 John White
 Thomas T. Whittlesey
 Joseph L. Williams
 John T. H. Worthington
 Archibald Yell
 Thomas Jones Yerke.

It was then

Ordered, That the bill be committed to the Committee of the Whole House on the state of the Union.

Bills from the Senate of the following titles, viz:

No. 2. An act to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof;

No. 4. An act for the relief of Pierre Menard and others;

No. 18. An act to prevent the counterfeiting of any foreign copper, gold, silver, or other coin, and to prevent the bringing into the United States or uttering any counterfeit foreign gold, silver, or other coin;

No. 67. An act in addition to an act for the relief of Walter Loomis and Abel Gay, approved July 2, 1836;

No. 100. An act to abolish imprisonment for debt in certain cases;

No. 185. An act for the relief of Gad Humphreys, of the Territory of Florida;

were severally read the first and second time, and referred—

No. 2, to the Committee of the Whole on the state of the Union.

No. 4, to the Committee on Revolutionary Claims.

No. 18, to the Committee on the Judiciary.

No. 67, to the Committee of Claims.

No. 100, to the Committee on the Judiciary.

No. 185, to the Committee of Claims.

The joint resolution from the Senate (No. 9) for the purchase of the island at the confluence of the Saint Peter's and Mississippi rivers, was read the first and second time, and referred to the Committee on Military Affairs.

An engrossed bill (No. 440) entitled "An act for the relief of the legal representatives of Thomas Glascock, deceased," was read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

An engrossed bill (No. 1012) for the relief of Peters, Moore, and Company, and others, was read the third time; and the question was stated, Shall it pass? when

A motion was made by Mr. William Cost Johnson, that it do lie on the table; which motion was decided in the negative.

A motion was then made by Mr. Casey that the bill be recommitted to the Committee on the Post Office and Post Roads, with instructions so to amend the same that its provisions shall apply to all claims of a similar nature.

A motion was then made by Mr. Sherrod Williams that the bill do lie on the table;

And, pending this motion,

The House, at four o'clock, adjourned until to-morrow, twelve o'clock meridian.

THURSDAY, JANUARY 24, 1839.

Mr. Parmenter presented a petition of Sarah Popkin, of Malden, in the county of Middlesex, in the State of Massachusetts, widow of Colonel John Popkin, deceased, praying a pension in consideration of the services rendered and losses sustained by her husband in the revolutionary war.

Mr. Petrikin presented a petition of Colonel John H. Schenk, of the State of Pennsylvania, a soldier of the revolutionary war, praying for an increase of his pension.

Mr. Toucey presented a petition of Anne Watson, of East Windsor, in the State of Connecticut, widow of Timothy Watson, who was a soldier of the revolutionary war, praying for a pension in consideration of her husband's services; which petition was referred to the Committee on Revolutionary Pensions.

Mr. Petrikin presented a petition of Anna Maria Dornbough, of the State of Pennsylvania, widow of John Dornbough, deceased, who was a soldier of the Revolution, praying for a pension in consideration of the revolutionary services of her husband; which petition was referred to the Committee on Revolutionary Pensions.

Mr. Bell presented a petition of David C. Hibbits, who was wounded while in service in the war of 1812 with Great Britain, praying for a pension; which petition was referred to the Committee on Invalid Pensions.

Mr. Chapman, of Alabama, presented a memorial of citizens of Benton and Cherokee counties, in the State of Alabama, praying for the removal of the land office at Mardisville into the Cherokee country, and that Ladega, near the line between the Cherokee and Creek countries, may be the location for said land office; which memorial was committed to the Committee of the Whole House.

Mr. Henry presented a petition of citizens of Beaver county, in the State of Pennsylvania, praying for the establishment of a national armory at the falls of Beaver river; which petition was referred to the Committee on Military Affairs.

Mr. Word presented a petition of Nathan Smith, of the county of Monroe, in the State of Mississippi, praying for a right of pre-emption to the north half of fractional section 21, in township 14, of range 19 west, lying in said county; which petition was referred to the Committee on Private Land Claims.

Mr. Stone presented a petition of Jesse Epperson, of Bradley county, in the State of Tennessee, praying compensation for a horse stolen from him by Cherokee Indians; which petition was referred to the Committee on Indian Affairs.

Mr. Rariden presented a communication from the Secretary of War, enclosing the report of the Chief Engineer, and other documents relating to the claim for indemnity, on the part of Hezekiah Williams, for damages by the construction of the Cumberland road across his mill-race; which communication was referred to the Committee of Claims.

Mr. Sergeant presented the petition of Sophia Anderson, widow of William Anderson, presented heretofore March 12, 1838; which petition was referred to the Committee on Naval Affairs.

Mr. Putnam presented a petition of inhabitants of the State of New York, praying an appropriation for the construction of a harbor at Milwaukee, in the Territory of Wisconsin; which petition was referred to the Committee on Commerce.

Mr. Bronson presented a petition of inhabitants of the State of New York, praying an appropriation for the construction of a harbor at the mouth of Big Sandy creek, on lake Ontario, Jefferson county, in the State of New York.

Mr. Brounson presented a petition of inhabitants of the county of Jefferson, in the State of New York, praying an appropriation for the improvement of Little Sodus bay, on lake Ontario.

Ordered, That the said petitions be referred to the Committee on Commerce.

Mr. Parmenter presented a petition of manufacturers of starch in the city of Boston, praying that a duty may be levied upon foreign starch; which petition was referred to the Committee on Manufactures.

Mr. Boon presented a petition of citizens of Jasper, in the State of Indiana, praying a donation of land to aid in the construction of the Mount Carmel and New Albany railroad; which petition was referred to the Committee on Roads and Canals.

Mr. Haynes presented a resolution of the Legislature of the State of Georgia, requesting the Senators and Representatives in Congress to procure the establishment of a mail route, to be carried on horseback, between Blairsville, in the county of Union, and Dahlonega, in the county of Lumpkin, by the way of Cooper's gap, in the Blue Ridge.

Mr. Christopher H. Williams presented a memorial of Allen Sammons, of the State of Tennessee, one of the sureties of Reddick Dishough, late postmaster at Middleburg, in said State, praying to be refunded the sum of \$228 96, which he has been compelled to pay, on account of the default of said postmaster, more than was due to the United States from the said defaulter.

Ordered, That the said petitions be referred to the Committee on the Post Office and Post Roads.

Mr. Crabb presented a memorial of citizens of Taladega county, in the State of Alabama, remonstrating against an exclusive appropriation of the two per cent. fund, reserved of the nett proceeds of lands sold in said State, to the construction of the Selma and Tennessee railroad, and praying that a portion of said fund may be granted to the Wetumpka and Coosa Railroad Company; which memorial was referred to the Committee on Roads and Canals.

Mr. Crabb presented a petition of citizens of the town of Maplesville, in the county of Bibb, and State of Alabama, praying that a sufficient compensation may be made to secure the services of a postmaster to perform the extraordinary duties of the post office at that place; which petition was referred to the Committee on the Post Office and Post Roads.

Mr. Chapman, of Alabama, presented a memorial of the Legislature of the State of Alabama, praying for a survey of the Cherokee lands in said State as soon as practicable; which memorial was referred to the Committee of Ways and Means.

Mr. Chapman, of Alabama, presented a memorial of citizens of the county of Benton, in the State of Alabama, praying that a floating pre-emption right may be granted to such persons as were deprived of their rights guaranteed by the act of 1834, "to grant pre-emption rights to actual settlers on the public lands;" which memorial was committed to a Committee of the Whole House.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed a bill (No. 203) entitled "An act for the relief of Doctor John Campbell White, of Baltimore, in the State of Maryland;" in which bill I am directed to ask the concurrence of this House. And then he withdrew.

The House proceeded to the consideration of the report of the Committee on Expenditures on the Department of War, relative to a payment made by the War Department to Samuel Lewis for the services of his son, Edward Lewis, a minor, as a clerk in the Pension bureau in 1818 and 1819.

A motion was made by Mr. Everett that the said report be recommended to the Committee on Expenditures in the War Department, with instructions to ascertain and report the cases in which money has been paid, under the direction of the War Department, out of the contingent fund, to any officer of the Government, for arrearages of salary or compensation for his services.

And, after debate, the hour elapsed, and the debate was suspended.

Mr. Cambreleng, from the Committee of Ways and Means, by leave, made a report on the state of the Treasury, and the public expenditures; which report was ordered to lie on the table.

A motion was made by Mr. Haynes that ten thousand copies extra of the said report be printed;

And the rule which requires the said motion to lie over one day being dispensed with, the House proceeded to the consideration thereof;

And, after debate,

The House, on motion, proceeded to the business on the Speaker's table, and to the orders of the day.

The Speaker laid before the House sundry communications, viz :

I. A letter from the Secretary of the Navy, accompanied by 275 printed copies of the Naval Register for the year 1839 for the members of the House; which letter was laid on the table.

II. A letter from the Secretary of War, in answer to the call of the 9th of July, 1838, as to the number of clerks employed, and the expense incurred, in answering calls of the House upon the War Department for information during the last session of Congress; which letter was ordered to lie on the table.

III. A letter from the Secretary of War, transmitting information called for by the House on the 14th of January instant, in relation to the execution of the third section of the act of July 5, 1832, for liquidating and paying certain claims of the State of Virginia.

A motion was made by Mr. Hall that the said letter (from the Secretary of War) be referred to a select committee, with instructions to inquire into the character and amount of proof which is required by existing laws and regulations to establish claims on the United States for revolutionary services in the Virginia continental and State line and navy; and whether any and what further legislative provisions be necessary in regard to the mode of adjusting and allowing claims for such services.

The said motion was agreed to by the House; and

Mr. Hall, Mr. Mallory, Mr. Miller of Missouri, Mr. Holsey, Mr. Briggs, Mr. McClellan of New York, and Mr. Griffin, were appointed said select committee.

IV. A letter from the Secretary of the Treasury, transmitting the information called for by the House on the 14th of January instant, as to the light in which reports of committees of Congress are regarded by the accounting officers of the Treasury in the settlement of claims against the United States; which letter was ordered to lie on the table.

V. A letter from the Postmaster General, containing the information called for by the House on the 14th of January instant, as to funds, in addition to the revenues of the Post Office Department, which will be necessary to continue, during the present year, the mail facilities on the

present establishment of the Department; which letter was ordered to lie on the table.

On motion of Mr. Thomas,

Ordered, That the message of the President of the United States of the 19th January instant, in relation to Florida claims under the treaty of 1819, be referred to the Committee on the Judiciary.

The bill from the Senate (No. 203) entitled "An act for the relief of Doctor John Campbell White, of Baltimore, in the State of Maryland," was read the first and second time, and referred to the Committee on the Judiciary.

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. John Quincy Adams reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the message of the President of the United States at the commencement of the present session of Congress, and had come to sundry resolutions thereon, which he was directed to report to the House.

The said resolutions were then read at the Clerk's table; and, on the questions severally put thereon, were agreed to by the House, and are as follows:

1. *Resolved*, That so much of the President's message as refers to the political relations of the United States with foreign nations, be committed to the Committee on Foreign Affairs.

2. *Resolved*, That so much of said message as relates to the commerce of the United States with foreign nations, be referred to the Committee on Commerce.

3. *Resolved*, That so much of said message as relates to the finances, to the collection, safe-keeping, and disbursement of the public revenue, and the punishment of public defaulters, be committed to the Committee of Ways and Means.

4. *Resolved*, That so much of said message as relates to the public lands, be referred to the Committee on the Public Lands.

5. *Resolved*, That so much of said message as relates to Indian affairs, except what concerns the defence of the frontiers against Indian hostilities, and the protection of the Indians against the intrusions of the citizens of the United States, be referred to the Committee on Indian Affairs.

6. *Resolved*, That so much of said message as relates to the defence of the frontiers against Indian hostilities, and the protection of the Indian tribes from the intrusions of citizens of the United States; so much thereof as relates to the establishment of a manufactory of small-arms west of the Alleghany mountains, and to a manufactory of gunpowder, together with so much as relates to the report of the Secretary of War, and the public interests intrusted to the War Department, except the subjects embraced in the immediately preceding resolution, be referred to the Committee on Military Affairs.

7. *Resolved*, That so much of said message as relates to the militia of the United States, be referred to the Committee on the Militia.

8. *Resolved*, That so much of said message as relates to the report of the Secretary of the Navy, and the interests intrusted to the Navy Department, be committed to the Committee on Naval Affairs.

9. *Resolved*, That so much of said message as relates to the report of

the Postmaster General, and the condition and operations of the Post Office Department, be referred to the Committee on the Post Office and Post Roads.

10. *Resolved*, That so much of said message as relates to the District of Columbia, be committed to the Committee for the District of Columbia.

And then, at a quarter past four o'clock, the House adjourned until to-morrow, twelve o'clock meridian.

FRIDAY, JANUARY 25, 1839.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed bills, and a joint resolution of the following titles, viz :

No. 81. An act for the relief of Peter Barge, jr.;

No. 113. An act supplementary to the act entitled "An act to establish branches of the Mint of the United States," approved March 3, 1835;

No. 169. An act for the relief of Henry Wilson, confirming purchases of certain land in Arkansas;

No. 173. An act to amend, an act entitled "An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated land within the same," passed 18th of April, 1806;

No. 186. An act for the relief of William B. Ferguson and sureties;

No. 241. An act for the relief of William H. Robertson, Samuel H. Garrow, and J. W. Simonton;

No. 4. Joint resolution authorizing the President of the United States to cause certain surveys to be made;
in which bills and resolution I am directed to ask the concurrence of this House. And then he withdrew.

The House resumed the consideration of the report of the Committee on Expenditures in the War Department, relative to a payment made by that Department to Samuel Lewis, for the services of his son, Edward Lewis, a minor, as a clerk in the Pension office in the years 1818 and 1819.

The question recurred on the motion made by Mr. Everett, yesterday, that the said report be recommitted, with the instructions set forth in the proceedings of that day : when it was,

On motion of Mr. Pope,

Ordered, That the said report do lie on the table.

On motion of Mr. Cushman,

Ordered, That the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill (No. 712) making appropriations for building light-houses, light-boats, beacons, buoys, and for surveys; and that the said bill be recommitted to the Committee on Commerce.

Mr. Pickens, from the Committee on Naval Affairs, reported a bill (No. 1073) for the relief of Colonel Robert D. Wainwright; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Stuart, from the Committee of Claims, made an unfavorable report on the case of Elias Wallen; which report was committed to a Committee of the Whole House to-morrow.

Mr. Darlington, from the Committee of Claims, made a report on the case of Charles Benna, accompanied by a bill (No. 1074) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Giddings, from the Committee of Claims, made unfavorable reports on the cases of William Patrick and Thomas Kelly; which reports were ordered to lie on the table.

Mr. Casey, from the Committee on the Public Lands, reported a bill (No. 1075) for the relief of Mengiers Gillespie, late a soldier in the army of the United States, accompanied by a report; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Loomis, from the Committee on the Public Lands, reported a bill (No. 1076) granting land to the Portage Canal Company, for the construction of a canal at the Wisconsin and Fox-river portage; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Connor,

Ordered, That the Committee on the Post Office and Post Roads be discharged from the petition of Joel Beaman; and that it lie on the table.

On motion of Mr. Connor,

Ordered, That the Committee on the Post Office and Post Roads be discharged from the consideration of the several resolutions adopted by the House on the 31st of December ultimo and 14th January instant, in relation to postage, and to an extension of the franking privilege; and that the said resolutions do lie on the table.

Mr. Leadbetter, from the Committee on the Post Office and Post Roads, to which was referred the case of John S. Burnett, made an unfavorable report thereon; which was read, and laid on the table.

On motion of Mr. Ingham, leave was given to withdraw the petition and papers of James M. White.

On motion of Mr. Mallory, the Committee on Military Affairs was discharged from the petition of Sarah M. Gates, and leave was given to withdraw the same.

Mr. Loomis, from the Committee on the Post Office and Post Roads, made an unfavorable report on the case of Isaac Morrow; which report was ordered to lie on the table.

On motion of Mr. Robertson,

Ordered, That the Committee on the Judiciary be discharged from the consideration of the petition of John Norris, of Pennsylvania; and that it lie on the table.

Mr. Garland, of Virginia, from the Committee on the Judiciary, reported a bill (No. 1077) to restore circuit-court jurisdiction to the district court of the northern district of New York, and to regulate the terms of said court; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Craig, from the Committee on Revolutionary Claims, reported a bill (No. 1078) for the relief of the legal representatives of William Vaux, deceased; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. John Quincy Adams,

Ordered, That the Committee on Manufactures, which was, on the 14th

instant, instructed to inquire as to the propriety of passing an act explanatory of the provisions of the 2d clause of the 2d section of the act of the 14th July, 1832, to alter the several acts imposing duties on imports; and of the 4th section of the act to modify the said act, passed 2d March, 1833, be discharged from the consideration of the subject, and that the same be referred to the Committee of Ways and Means.

Mr. Banks, from the Committee on Indian Affairs, made an unfavorable report on the case of Francis Rivar; which report was ordered to lie on the table.

Mr. Everett, from the Committee on Indian Affairs, made an unfavorable report on the case of John McClenahan; which report was ordered to lie on the table.

Mr. McKay, from the Committee on Military Affairs, reported a bill (No. 1079) making appropriations for the defence of the Northern and Western frontiers; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. McKay, from the Committee on Military Affairs, reported joint resolutions (No. 40) making it the duty of the Attorney General of the United States to examine into the titles of the lands or sites purchased by the United States for the purpose of erecting thereon armories, and other public works, and for other purposes; which resolutions were read the first and second time, and the further consideration thereof was postponed until Tuesday, the 29th of January instant.

Mr. McKay, from the Committee on Military Affairs, to which the subject was referred on the 20th of December ultimo; reported a bill (No. 1080) to amend an act entitled "An act to provide for the better protection of the Western frontier," approved July 2, 1836, and to repeal so much of the act making appropriations for the support of the army for the year 1836, approved May 14, 1836, as requires the removal of the troops from Fort Gibson; which bill was read the first and second time.

The Speaker laid before the House a letter from the Secretary of the Navy, transmitting copies of the proceedings of the two courts-martial ordered to try certain charges preferred by Commodore J. D. Elliott against Lieutenant C. G. Hunter, together with a copy of the charges preferred by Lieutenant Hunter against Commodore Elliott, upon which the Navy Department, considering all the circumstances of the case, did not, at that time, think proper to institute any proceedings; which papers were called for by the House on the 14th instant.

Ordered, That the said letter and documents do lie on the table.

The rules being suspended for the purpose—

The House proceeded to the consideration of the resolution moved by Mr. Thomas on the 31st of December ultimo; when

Mr. Thomas modified his said resolution to read as follows:

Resolved, That the rules of the House be amended, by adding to the 20th rule the words following, viz:

"And on the first and fourth Friday of each month the calendar of private bills shall be called over, and the bills to the passage of which no objection shall then be made, shall be first considered and disposed of."

The question was stated, that the House do agree to the said resolution: And, after debate,

The previous question was moved by Mr. Toucey; and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Will the House agree to the resolution?

And passed in the affirmative.

The House resolved itself into a Committee of the Whole House on sundry bills, viz:

No. 70. A bill for the relief of Joseph Nourse;

No. 91. A bill for the relief of Nathaniel Goddard and others;

No. 442. A bill for the relief of certain persons who have been deprived of pre-emption rights by Indian reservations;

No. 456. A bill to enlarge the provisions of an act granting half pay to widows and orphans whose husbands and fathers have died in service;

No. 141. A bill for the relief of the legal representatives of John Jordan, deceased, late a captain of artillery artificers;

No. 917. A bill for the relief of Thomas Wishart;

No. 935. A bill for the relief of the heirs of Presley Thornton, deceased;

No. 156. A bill for the relief of James Moore;

No. 478. A bill for the relief of the heirs of Joseph Safford;

No. 157. A bill for the relief of the legal representatives of the late Robert Farmer, deceased;

No. 158. A bill for the relief of William Moor;

No. 159. A bill for the relief of Farish Carter, and the heirs of Charles Williamson, deceased;

No. 160. A bill for the relief of the representatives of Etienne (Stephen) La Lande, deceased;

No. 161. A bill for the relief of Margaret Kingsbury;

No. 162. A bill for the relief of Henry L. Reviere;

No. 163. A bill for the relief of the legal representatives of Daniel Warner, deceased;

No. 164. A bill for the relief of Amelia Leach;

No. 165. A bill for the relief of Oliver Welch;

No. 166. A bill for the relief of Francis Jarvis;

No. 167. A bill for the relief of Usse Yoholo;

No. 168. A bill for the relief of Milley Yates;

No. 169. A bill for the relief of Commodore Isaac Hull;

No. 171. A bill for the relief of the representatives of Henry Richardson;

No. 172. A bill for the relief of Spencer C. Gist;

No. 173. A bill for the relief of Benjamin Hewitt;

No. 174. A bill to provide compensation to James Barron, for the use of his invention called a "Ventilator of ships;"

No. 175. A bill for the relief of William Easby;

No. 186. A bill for the relief of Huldah Taylor;

No. 228. A bill for the relief of John B. Lasala;

No. 894. A bill for the relief of Chastelain and Ponvert;

No. 229. A bill for the relief of James W. Osborn;

No. 233. A bill for the relief of Lewis B. Willis;

No. 236. A bill for the relief of the heirs and legal representatives of George C. Willard;

No. 237. A bill for the relief of William W. Stevenson and Joseph Henderson;

No. 238. A bill for the relief of John Davlin;

No. 239. A bill for the relief of Robert Murray;

No. 663. A bill for the relief of Tilford Taylor;

No. 240. A bill for the relief of John Wiley and Jefferson Greer;

No. 241. A bill for the relief of John Whitsett;

No. 242. A bill for the relief of Jonathan Boone;

No. 244. A bill for the relief of William Marbury;

No. 245. A bill for the relief of Stephen Marsters;

No. 246. A bill for the relief of Willis Stephens and others;

No. 247. A bill for the relief of Thomas T. Triplett;

No. 248. A bill for the relief of Reuben E. Gentry, William Monroe, and others;

No. 249. A bill for the relief of Captain Jesse Copeland;

No. 268. A bill for the relief of Peter Yarnall and others;

No. 270. A bill for the relief of Henry Lynch;

No. 272. A bill for the relief of Samuel D. Walker;

No. 273. A bill for the relief of John H. Pease;

No. 274. A bill for the relief of Gilbert A. Smith and others;

No. 275. A bill for the relief of Frederick Frey and Co.;

No. 279. A bill to allow such purchasers of public lands, in the years 1818 and 1819, as omitted to take the credit allowed by law, the same relief which was extended to those who availed themselves of the credit system;

No. 280. A bill for the relief of the heirs of John Brahan;

No. 281. A bill for the relief of James M. Tuttle;

No. 289. A bill for the relief of Thomas E. Sudler and others;

No. 293. A bill for the relief of John Dixon;

No. 294. A bill for the relief of Polly Lemon;

No. 632. A bill for the relief of Henry Stoker, William G. Belknap, and Benjamin Walker;

No. 295. A bill for the relief of William Washington Bigham;

No. 296. A bill for the relief of Aaron Stout;

No. 297. A bill for the relief of James Cooper;

No. 298. A bill for the relief of John Borey;

No. 299. A bill for the relief of William C. Hazard;

No. 300. A bill for the relief of John H. Hall;

and, after some time spent in Committee of the Whole House, the Speaker resumed the chair, and Mr. McKennan reported as follows:

That on Nos. 70, 91, 442, 456, 141, 917, 935, 169, 174, 248, 268, 279, 280, 289, and 300, the committee had made progress, and directed him to ask leave to sit again thereon.

Nos. 156, 478, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 171, 172, 173, 175, 186, 894, 229, 233, 236, 237, 238, 239, 663, 240, 241, 242, 244, 245, 246, 247, 249, 270, 272, 273, 274, 275, 281, 293, 295, 296, 297, 298, and 299, without amendment.

And Nos. 157, 228, 294, and 632, with an amendment to each.

The House then proceeded to the consideration of the report from the Committee of the Whole House: when it was

Ordered, That the Committee of the Whole House have leave to sit

again on bills upon which progress was reported, viz: Nos. 70, 91, 442, 456, 141, 917, 935, 169, 174, 248, 268, 279, 280, 289, 300.

That the bills reported without amendment be engrossed, and, severally, read a third time to-morrow.

The amendments reported to Nos. 157, 228, 294, and 632, were read, and concurred in; and the said bills were then ordered to be engrossed, and, severally, read a third time to-morrow.

The House resolved itself into a Committee of the Whole House on sundry bills, viz:

No. 301. A bill to authorize the Secretary of the Navy to purchase a certain lot of land of the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts;

No. 302. A bill for the relief of Dudley Walker;

No. 303. A bill for the relief of Samuel Hambleton;

No. 304. A bill for the relief of Benjamin Hewitt;

No. 305. A bill for the relief of the representatives of Benjamin Hodges, deceased;

No. 306. A bill for the relief of Cornelius Manning;

No. 307. A bill for the relief of the legal representatives of William Tudor, jun.;

No. 325. A bill for the relief of Thomas Todd;

No. 326. A bill for the relief of William Clarke;

No. 327. A bill for the relief of Zebulon Baxter;

No. 328. A bill for the relief of Mary Sroufe;

No. 331. A bill for the relief of Thomas H. Perkins;

No. 332. A bill for the relief of John Kern and John D. George;

No. 333. A bill for the relief of John McCarroll, jun.;

No. 335. A bill for the relief of the legal representatives of John Dawson, deceased;

No. 336. A bill for the relief of Daniel Parker;

No. 342. A bill for the relief of Marcus Quincy and William Gorham;

No. 343. A bill for the relief of William Culver;

No. 344. A bill for the relief of George Innes;

No. 346. A bill for the relief of the heirs and legal representatives of Peter Alba.

No. 347. A bill for the relief of the representatives of Henry Duchquette, William Hebit, *dét* Lacompte, J. B. Dubois, and Charles Sanguette;

No. 348. A bill for the relief of Hiner Stigermire;

No. 349. A bill to grant to the Mount Carmel and New Albany Railroad Company the right of way through the public lands;

No. 350. A bill for the relief of Mary Tucker;

No. 351. A bill for the relief of James P. Carlton;

No. 352. A bill for the relief of James Wilson;

No. 357. A bill for the relief of John and Samuel Rowe;

No. 358. A bill for the relief of Poas Hadgo;

No. 359. A bill for the settlement of the accounts of Edmund Roberts, late diplomatic agent of the United States to Cochin China, Muscat, and Siam;

No. 366. A bill for the relief of Ebenezer Lobdell;

No. 370. A bill for the relief of Thomas Simard;

No. 371. A bill for the relief of Archibald R. S. Hunter;

- No. 372. A bill for the relief of Benjamin Fry ;
No. 373. A bill for the relief of Thomas Cooper ;
No. 374. A bill for the relief of Polly Lining, executrix of the last will and testament of Charles Lining, deceased, who, in his lifetime, and at the time of his death, was executor of the last will and testament of Edward Blake, deceased ;
No. 375. A bill for the relief of William Saunders and William R. Porter ;
No. 379. A bill for the relief of Zebulon Sheets ;
No. 381. A bill for the relief of William S. Colquhoun ;
No. 386. A bill for the relief of McClelland and Smith ;
No. 392. A bill for the relief of the heirs of Marshal Rochambeau ;
No. 395. A bill for the relief of the Springfield Manufacturing Company ;
No. 396. A bill for the relief of Winslow Lewis ;
No. 397. A bill for the relief of the representative of Nathan Sage ;
No. 398. A bill for the relief of Samuel Malone ;
No. 400. A bill for the relief of Return B. Brown ;
No. 401. A bill to refund a fine imposed on the late Matthew Lyon under the sedition law ;
No. 402. A bill for the relief of John E. Wool ;
No. 414. A bill for the relief of Daniel Ward and George Ficklin ;
No. 417. A bill for the relief of the representatives of Everard Meade ;
No. 418. A bill for the relief of certain settlers on what is called the Salt-lick reservation, in the western district of Tennessee ;
No. 419. A bill for the relief of Nathaniel Plumb ;
No. 420. A bill for the relief of Ashbel Mason ;
No. 421. A bill for the relief of Vincent Massoletti ;
No. 422. A bill for the relief of Jairus Loomis and James Bassett ;
No. 426. A bill allowing to James Lowe a section of land ;
No. 429. A bill granting a pension to Michael McCray ;
No. 436. A bill for the relief of Joseph Wallis and the heirs and legal representatives of Robert Leckie and Jeremiah D. Hayden, deceased ;
No. 437. A bill providing for the settlement of the claim of Walter Jones ;
No. 441. A bill for the relief of the corporation of the First Presbyterian Church of Scotland, in Hanover, now Yorktown, West Chester county, in the State of New York ;
No. 445. A bill for the relief of Zachariah Jellison ;
No. 446. A bill for the relief of Sylvester Phelps and the heirs and legal representatives of Charles Landon, deceased ;
No. 447. A bill for the relief of John Balch, jun. ;
No. 468. A bill for the relief of Samuel McComb ;
No. 470. A bill for the relief of the Louisville Savings Institution ;
No. 471. A bill for the relief of Adam Smith ;
No. 476. A bill for the relief of the heirs and legal representatives of Israel Honeywell ;
No. 477. A bill for the relief of the heirs and legal representatives of John Mandeville ;
No. 479. A bill for the relief of George Rowe ;
No. 480. A bill to authorize a settlement of claims of George Fisher for property destroyed by troops of the United States ;

No. 481. A bill for the relief of Roger Jones, Adjutant General of the army of the United States;

No. 483. A bill for the relief of Ezekiel Jones;

No. 486. A bill for the relief of Charles G. Ridgely;

No. 490. A bill for the relief of Samuel Dickerson;

and, after some time spent in Committee of the Whole House, the Speaker resumed the chair, and Mr. Ingham reported as follows:

That on Nos. 336, 373, 392, 401, 417, 436, 437, 441, 476, 477, 481, and 486, the committee had made progress therein, and directed him to ask leave to sit again thereon;

Nos. 301, 302, 303, 304, 305, 306, 307, 325, 331, 332, 333, 342, 343, 344, 346, 347, 348, 349, 350, 351, 352, 357, 358, 359, 366, 370, 371, 372, 374, 375, 379, 381, 386, 395, 396, 397, 398, 400, 402, 414, 419, 420, 421, 426, 429, 445, 446, 447, 468, 470, 480, 483, 490, without amendment;

And Nos. 326, 327, 328, 335, 418, 422, 471, 479, with an amendment to each.

The House proceeded to the consideration of the report from the Committee of the Whole House; when it was

Ordered, That the Committee of the Whole House have leave to sit again on the bills upon which progress was reported, viz: Nos. 336, 373, 392, 401, 417, 436, 437, 441, 476, 477, 481, 486;

That the bills reported without amendment be engrossed, and severally read a third time to-morrow, except No. 396, for the relief of Winslow Lewis, and that that bill be postponed till to-morrow.

The amendments reported to Nos. 326, 327, 328, 335, 418, 422, 471, 479, were read and concurred in by the House; and the said bills were, severally, ordered to be engrossed, and read a third time to-morrow.

The House resolved itself into a Committee of the Whole House on sundry bills, viz:

No. 492. A bill for the relief of the legal representatives of Philip Barbour;

No. 493. A bill for the relief of George C. Johnson;

No. 494. A bill for the relief of John Baldridge;

No. 506. A bill for the relief of Cornelius Tiers;

No. 508. A bill for the relief of the heirs of Bennet Sharley;

No. 512. A bill for the relief of Alexander Scott;

No. 516. A bill for the relief of John H. Shepperd, administrator of Abiel Wood;

No. 518. A bill for the relief of Lewis H. Bates and William Lacon;

No. 519. A bill for the relief of William Colt and William Donaldson;

No. 520. A bill for the relief of the heirs of Michael Fenwick;

No. 523. A bill to revive an act to enable claimants to land within the limits of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims, approved May 26, 1824, and the act amending the same, approved May 24, 1828;

No. 526. A bill for the relief of John Randolph Clay;

No. 534. A bill to purchase the right to use Doctor Boyd Reilly's va por bath;

No. 535. A bill for the relief of Abel A. Pasko and others;

No. 541. A bill for the relief of Francis Mallaby;

No. 542. A bill for the relief of Sutton Stephens;

- No. 543. A bill for the relief of Don Louis Rosamond Orillion;
No. 547. A bill for the relief of Solomon Sturges, assignee of Rexin Frazier;
No. 550. A bill for the relief of Avery, Saltmarsh, & Co.;
No. 555. A bill for the relief of Alexander H. Everett;
No. 556. A bill for the relief of Alexander Hammett;
No. 566. A bill for the relief of Captain John Vanneston and his company, for their services during the late war;
No. 567. A bill for the relief of James Alexander;
No. 581. A bill for the relief of John Brown & Co.;
No. 582. A bill for the relief of Joseph R. Folsom, and the owners and crew of the Schooner Galaxy;
No. 583. A bill for the relief of James Selby;
No. 598. A bill for the relief of Francis Lambert;
No. 599. A bill for the relief of John E. Alexander;
No. 602. A bill for the relief of Nathaniel H. Hooe;
No. 607. A bill for the relief of John B. Rodgers;
No. 609. A bill for the relief of Enoch Matson;
No. 612. A bill for the relief of James S. Cochran;
No. 614. A bill for the relief of the representatives of Aaron Vail;
No. 615. A bill for the relief of John Adams Smith;
No. 616. A bill for the relief of the legal representatives of Charles S. Walsh;
No. 628. A bill for the relief of the legal representatives of H. H. B. Hays, late a postmaster at Claiborne, Alabama;
No. 630. A bill for the relief of Eloi Rachal;
No. 631. A bill for the relief of Paul Poissot;
No. 636. A bill for the relief of the representatives of Josias Thompson;
No. 637. A bill for the relief of William Marcus;
No. 640. A bill for the relief of Joseph Pierce and others;
No. 642. A bill for the relief of John Blanc;
No. 643. A bill for the relief of William Perkinson;
No. 644. A bill for the relief of Stephen P. W. Douglass;
No. 651. A bill for the relief of the heirs of John Campbell;
No. 662. A bill for the relief of John Dougherty;
No. 667. A bill for the relief of the heirs of John Hopper;
No. 668. A bill for the relief of the legal representatives of Thomas Murray;
No. 669. A bill for the relief of umbrella-makers of Philadelphia;
No. 677. A bill for the relief of the heirs of William Graham;
No. 688. A bill for the benefit of Joseph Dakes;
No. 698. A bill to confirm the claim of Charles Morgan to a tract of land;
No. 699. A bill for the relief of Sarah H. B. Stith;
No. 701. A bill for the relief of David Ballentine;
No. 708. A bill for the relief of James H. Grant and others;
No. 711. A bill for the relief of Robert Milnor;
No. 714. A bill for the relief of Thomas Cushing;
No. 716. A bill for the relief of Abraham Stipp;
No. 719. A bill for the relief of John L. Allen;
No. 732. A bill for the relief of Nathaniel Mitchell;

- No. 735. A bill for the relief of Herman Harris;
No. 736. A bill for the relief of Hazard Knowles;
No. 888. A bill for the relief of John J. Roane;
No. 738. A bill for the relief of Daniel Snider;
No. 745. A bill for the relief of Frances Fowler;
No. 751. A bill for the relief of Jesse E. Dow;
No. 756. A bill for the relief of Isaac D. Saunders;
No. 758. A bill for the relief of William Grozer;

and, after some time spent in Committee of the Whole House, the Speaker resumed the chair, and Mr. Dromgoole reported as follows:

That, on Nos. 512, 542, 555, 581, 607, 643, 651, 667, 736, 888, the committee had made progress therein, and directed him to ask leave to sit again thereon;

Nos. 492, 493, 494, 506, 508, 516, 518, 519, 520, 523, 526, 534, 535, 541, 543, 547, 550, 556, 566, 567, 582, 583, 598, 599, 602, 609, 614, 615, 616, 628, 636, 640, 642, 644, 662, 668, 669, 677, 698, 699, 701, 708, 711, 714, 716, 719, 732, 735, 738, 745, 751, 756, 758, without amendment;

And Nos. 612, 630, 631, 637, 688, with an amendment to each.

The House proceeded to the consideration of the report of the Committee of the Whole House: when it was

Ordered, That the Committee of the Whole House have leave to sit again on the bills upon which progress was reported, viz.: Nos. 512, 526, 542, 555, 581, 607, 643, 651, 667, 736, 888;

That the bills reported without amendment be engrossed and severally read a third time to-morrow, except Nos. 492, 543, 550, 556, and that they be postponed until to-morrow.

The amendments reported to Nos. 612, 630, 631, 637, 688, were read and concurred in, and the said bills were ordered to be engrossed, and severally read a third time to-morrow.

A motion was made by Mr. Everett, that the House do reconsider the vote by which the bill No. 493, for the relief of George C. Johnson, was ordered to be engrossed and read a third time.

And, on the question that the House do reconsider said vote,

It passed in the affirmative; and it was then

Ordered, That the further consideration of said bill be postponed until to-morrow.

And then, at a quarter before six o'clock, the House adjourned until to-morrow, twelve o'clock meridian.

SATURDAY, JANUARY 26, 1839.

Mr. Grant presented a memorial of citizens of the county of Oswego, in the State of New York, praying a repeal or modification of the law of last session of Congress, commonly called the neutrality law, entitled "An act supplementary to an act entitled 'An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned,' approved 20th April, 1818;" which memorial was referred to the Committee on Foreign Affairs.

Mr. Keim presented a petition of John Vanderslice, representative of Henry Vanderslice, deceased, late of Berks county, in the State of Pennsylvania, praying remuneration for services rendered as foragemaster in

the revolutionary war; which petition was referred to the Committee on Revolutionary Claims.

Mr. Bouldin presented a resolution adopted by the corporation of the city of Washington, soliciting Congress to pass an act granting to said corporation a perfect title to lot No. 14, in square 253, of said city, with the improvements thereon, now occupied as a public free-school; which resolution was referred to the Committee for the District of Columbia.

Mr. Downing presented an estimate of the cost of construction of a bridge over the Little Bayou, on the road between Pensacola and the navy yard; which estimate was referred to the Committee on Roads and Canals.

Mr. Downing presented five several memorials of citizens of Florida, and of the Legislative Council of Florida, praying for a grant of a township of land to aid in establishing and endowing the Dade Institute of Florida for the purposes of education; which memorials were referred to the Committee on the Territories.

Mr. Downing presented a petition of citizens of West Florida, praying an appropriation for the construction of a road for the transportation of the mail between Iola and Brownsville; which petition was referred to the Committee on Roads and Canals.

Mr. Downing presented a memorial of citizens of East Florida, and also the proceedings of a meeting of inhabitants of St. Augustine, remonstrating against the admission of Florida into the Union as a State; which memorial and proceedings were referred to the Committee on the Territories.

Mr. Downing presented a memorial of citizens of Florida, praying an appropriation for improving the navigation of the Yellow river; which memorial was referred to the Committee on Roads and Canals.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee did, on the 25th instant, present to the President of the United States enrolled bills of the following titles, viz:

No. 80. An act further to regulate the transportation of the mails upon railroads.

No. 961. An act for the relief of Bradbury T. Jipson.

On motion of Mr. Halsted,

Ordered, That the Committee on Military Affairs be discharged from the petition of William Fabre, and that it be referred to the Committee on Naval Affairs.

Mr. Coles, from the Committee on Military Affairs, made an unfavorable report on the petition of Joel Henry Dyer; which report was ordered to lie on the table.

Mr. Bronson, from the Committee on the Territories, to which the subject was referred on the 31st December ultimo, reported a bill (No. 1061) to provide for the erection of public buildings in the Territory of Florida; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Bronson, from the Committee on the Territories, reported a resolution; which was read, amended, and agreed to, as follows, two-thirds voting therefor:

Resolved, That Monday (after the States shall have been called for resolutions) and Tuesday, the 11th and 12th days of February next, be

set apart for the consideration of Territorial business; and that bills relating to the Territories shall have a preference over all other business on those days.

Mr. Fry, from the Committee on Revolutionary Pensions, reported a bill (No. 1082) granting a pension to Chauncey Rice; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Bond, from the Committee on Revolutionary Pensions, reported a bill (No. 1083) for the relief of James B. Rice; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Ewing,

Ordered, That the Committee on Revolutionary Pensions be discharged from the petition of Elizabeth Jones; and that it lie on the table.

On motion of Mr. J. Johnson,

Ordered, That the Committee on Revolutionary Pensions be discharged from the petition of Helen West and others; and that it lie on the table.

On motion of Mr. Morgan,

Ordered, That the Committee on Revolutionary Pensions be discharged from the case of William Meade; and that it lie on the table.

On motion of Mr. Plumer,

Ordered, That the Committee on Invalid Pensions be discharged from the case of Charles Scott, of Rhode Island; and that it lie on the table.

Mr. Mercer, from the Committee on Roads and Canals, to which was referred the bill from the Senate (No. 60) entitled "An act to relinquish to the State of Alabama the two-per-cent. fund reserved, by the act for her admission into the Union, to be applied to the making of a road leading to said State," reported the same with amendments.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Mercer, from the Committee on Roads and Canals, to which was referred the bill from the Senate (No. 152) entitled "An act to relinquish to the State of Mississippi the two-per-cent. fund accruing by the act for the admission of said State into the Union," reported the same with amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Thomas,

Ordered, That the Committee on the Judiciary, to which was referred the bill from the Senate (No. 78) entitled "An act to amend an act entitled 'An act to establish a criminal court in the District of Columbia,'" be discharged from the consideration thereof; and that the said bill be committed to the Committee for the District of Columbia.

Mr. Lincoln, from the Committee on the Public Buildings and Grounds, reported a bill (No. 1084) to provide for the erection of a fire-proof building for the use of the Department of War; which bill was read the first and second time, and committed to a Committee of the Whole House on the state of the Union.

Mr. Lincoln submitted to the House a communication from the Secretary of War to the Committee on the Public Buildings and Grounds, accompanied by a plan and estimate of a building which it is very desirable

should be erected as soon as possible, for the accommodation of the various branches of the War Department; several of which are now kept in detached buildings, whereby the important archives, records, and documents of the Department are much exposed to risk of fire and other casualties; which communication and documents were laid on the table.

Mr. Fillmore, from the Committee on Roads and Canals, to which have been referred various memorials from citizens of the States of New York and Pennsylvania, reported a bill (No. 1085) making an appropriation for the improvement of the navigation of the Allegany river between Pittsburgh and Olean; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. John Quincy Adams, from the joint committee on the Smithsonian bequest, reported the following resolutions, viz:

1. *Resolved*, That the sum of ——— dollars, being the amount deposited in the Treasury of the United States, proceeding from the bequest of James Smithson to the United States of America, for the purpose of establishing; at the city of Washington, an institution to bear his name, for the increase and diffusion of knowledge among men, together with what additional sum or sums may hereafter accrue from the same bequest, and so much of the interest as has become, or may become, due on the first-named principal sum, until the ——— day of ———, ought to be constituted a permanent fund, to be invested in a corporate body of trustees, to remain under the pledge of faith of the United States undiminished and unimpaired.

2. *Resolved*, That the said fund ought so to be invested that the faith of the United States shall be pledged for its preservation unimpaired, and for its yielding an interest, or income, at the rate of six per cent. a year, to be appropriated, from time to time, by Congress, to the declared purpose of the founder; and that all appropriations so made shall be exclusively from the interest or income of the fund, and not from any part of the principal thereof.

3. *Resolved*, That the first appropriations from the interest, or income, of the Smithsonian fund ought to be for the erection and establishment, at the city of Washington, of an astronomical observatory, provided with the best and most approved instruments and books for the continual observation, calculation, and recording of the remarkable phenomena of the heavens; for the periodical publication of the observations thus made; and of a nautical almanac for the use of the mariners of the United States, and of all other navigating nations.

The said resolutions were read, and laid on the table.

Mr. John Quincy Adams, from the joint committee on the Smithsonian bequest, reported the following resolution; which was read, and agreed to by the House, viz:

Resolved, (*the Senate concurring herein*,) That the joint committee of both Houses on the bequest of James Smithson be authorized to employ a clerk, and to cause to be printed such papers as they may deem necessary.

Ordered, That the Clerk request the concurrence of the Senate in the said resolution.

Mr. William B. Campbell, from the Committee of Claims, to which the subject was referred on the 14th January instant, reported a bill (No. 1085) extending the provisions of an act approved October 14, 1837, en-

titled "An act to amend an act entitled 'An act to provide for the payment of horses lost or destroyed in the military service of the United States,' approved January 18, 1837;" which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Saltonstall, from the Committee of Claims, made an unfavorable report on the petition of Moses E. Levy; which report was ordered to lie on the table.

Mr. Mason, of Virginia, from the Committee on Commerce, made unfavorable reports on the cases of John H. Russell, Levi Eldridge, and Nathan Smith; which reports were ordered to lie on the table.

On motion of Mr. Connor,

Ordered, That the Committee on the Post Office and Post Roads be discharged from the petition of Samuel Martin, for a revision of the Post Office laws; from the petition of John H. Sergeant, for an extension of the franking privilege; and from the resolution of the House of the 31st December, for a reduction of the rate of postage; and that the said petitions and resolution do lie on the table.

On motion of Mr. Downing,

Ordered, That the Committee of Claims be discharged from the petition of James M. Harris, and that it be referred to the Committee on the Post Office and Post Roads.

The House resumed the consideration of the motion made by Mr. Haynes on the 24th instant, to print ten thousand copies extra of the report of the Committee of Ways and Means of that day, on the state of the Treasury, and the public expenditures; when

A motion was made by Mr. McKennan, that the further consideration of said motion be postponed until Tuesday next, the 29th instant; and after debate, the hour elapsed, and the House proceeded to the business on the Speaker's table, and to the orders of the day.

Bills from the Senate of the following titles, viz:

No. 81. An act for the relief of Peter Bargy, jr.;

No. 113. An act supplementary to the act entitled "An act to establish branches of the Mint of the United States," approved March 3, 1835;

No. 169. An act for the relief of Henry Wilson, confirming purchases of certain lands in Arkansas;

No. 186. An act for the relief of William B. Ferguson and sureties;

No. 241. An act for the relief of William H. Robertson, Samuel H. Garrow, and J. W. Simonton;

were severally read the first and second time, and referred—

No. 81, to the Committee of Claims.

No. 113, to the Committee of Ways and Means.

No. 169, to the Committee on Private Land Claims.

No. 186, to the Committee of Claims.

No. 241, to the Committee on the Judiciary.

The joint resolution from the Senate (No. 4) authorizing the President of the United States to cause certain surveys to be made, was read the first and second time, and committed to the Committee on Commerce.

The bill from the Senate (No. 173) entitled "An act to amend an act entitled 'An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same,' passed the 18th day

of April, 1806," was read the first and second time, and postponed until Tuesday next, the 29th instant.

The House proceeded to the consideration of the bill (No. 493) for the relief of George C. Johnson; when the said bill was ordered to be engrossed, and read a third time to-day.

The House resumed the consideration of the bill (No. 1012) for the relief of Peters, Moore, and Co. and others.

The question recurred on the motion made by Mr. Sherrod Williams on the 23d instant, that the said bill do lie on the table; and being put, It passed in the negative.

The question then recurred on the motion made by Mr. Casey on the 23d instant, that the bill be recommitted; when

Mr. Casey modified his motion as follows: That the bill be recommitted to the Committee on the Post Office and Post Roads, with instructions to amend the same, so as to provide for the settlement and allowance of all equitable and just claims on the Post Office Department by mail contractors.

Mr. Hall called for a division of the question, so as that the question be put separately on recommitting, and then on the instructions.

The previous question was moved by Mr. Potter; and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put,

And passed in the affirmative.

The main question was then put, viz: Shall the bill pass? (the motion of Mr. Casey being set aside by the previous question;)

And passed in the negative, { Yeas, 62,
 { Nays, 89.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
John W. Allen
Linn Banks
Richard Biddle
John C. Brodhead
William B. Calhoun
John Calhoun
John Campbell
Reuben Chapman
Henry W. Connor
Thomas Corwin
George W. Crabb
Edward Darlington
Edward Davies
Jacob Fry, jr.
Joshua R. Giddings
Patrick G. Goode
Seaton Grantland
Elisha Haley
Hiland Hall

Mr. William Halsted
Thomas L. Hamer
Albert G. Harrison
Thomas Henry
Orrin Holt
George M. Keim
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Francis S. Lyon
James M. Mason
Joshua L. Martin
Abram P. Ma ry
Robert McClellan
Thomas M. T. McKennan
Charles F. Mercer
John J. Milligan
William S. Morgan
William H. Noble
Charles Ogile

Mr. Virgil D. Parris
David Petrikin
Lancelot Phelps
Arnold Plumer
John Pope
William W. Potter
Joseph Ridgway
Francis E. Rives
Edward Robinson
Edward Rumsey
Daniel Sheffer
Ebenazer J. Shields
Archibald Stuart
Isaac Toucey
George W. Towns
Hopkins L. Turney
John White
Thomas T. Whitley
Jared W. Williams
Joseph L. Williams
Archibald Yell.

Those who voted in the negative are—

Mr. Heman Allen
Hugh J. Anderson
John T. Andrews
John Bell

Mr. Bennet Bicknell
William Key Bond
Ratliff Boon
Isaac H. Bronson

Mr. Andrew Buchanan
C. C. Cambreleng
William B. Campbell
Zadok Casey

Mr. John Chambers
 John Chaney
 Richard Cheatham
 Walter Coles
 Robert Craig
 Robert B. Cranston
 John W. Crockett
 Samuel Cushman
 Thomas Davee
 Edmund Deberry
 George C. Dromgoole
 George H. Dunn
 John Edwards
 George Evans
 Horace Everett
 John Ewing
 Richard Fletcher
 Millard Fillmore
 Albert Gallup
 James Garland
 Rice Garland
 William Graham
 Abraham P. Grant
 Hiram Gray
 George Grennell, jr.
 John K. Griffin

Mr. Alexander Harper
 Richard Hawes
 Micajah T. Hawkins
 William Herod
 Benjamin C. Howard
 Thomas B. Jackson
 Jabez Jackson
 Henry Johnson
 Joseph Johnson
 Nathaniel Jones
 Gouverneur Kemble
 John P. Kennedy
 Levi Lincoln
 Arphaxel Loomis
 Richard P. Marvin
 Samson Masou
 William L. May
 John P. B. Maxwell
 James J. McKay
 John Miller
 William Montgomery
 Calvary Morris
 Charles Naylor
 William Parmenter
 Luther C. Peck
 David Potts, jr.

Mr. John H. Prentiss
 Harvey Putnam
 James Rariden
 John Reed
 David Russell
 Leverett Saltonstall
 Matthias Sheplor
 Mark H. Sibley
 William W. Southgate
 William Stone
 Henry Swearingen
 John Taliaferro
 Francis Thomas
 Joseph I. Tillinghast
 Obadiah Titus
 Joseph R. Underwood
 Henry Vail
 Abraham Vandervoer
 Taylor Webster
 Albert S. White
 Lewis Williams
 Sherrod Williams
 Christopher H. Williams
 Thomas J. Word
 Thomas Jones Forks.

And so the said bill was rejected.

A motion was then made by Mr. Chambers, that the House do reconsider the vote on the question that the said bill do pass, whereby it was rejected.

And, after debate,

The previous question was moved by Mr. Petrikin; and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Will the House reconsider the said vote?

And passed in the affirmative.

It was then, on motion of Mr. Chambers,

Ordered, That the said bill be recommitted to the Committee on the Post Office and Post Roads.

The House resumed the consideration of the bill (No. 131) for the relief of the legal representatives of Colonel George Gibson, deceased; when,

On motion of Mr. Underwood, it was

Ordered, That said bill do lie on the table.

The House proceeded to the consideration of the bill (No. 815) for the relief of the legal representatives of Captain John P. Harrison, deceased.

The question recurred on the motion made by Mr. Hall on the 16th of June, 1838, that the House do reconsider the vote of the 15th of the same month on the question that the said bill be engrossed and read a third time, by which vote the said bill was rejected.

And, after debate,

The previous question was moved by Mr. Taliaferro; and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz : Will the House reconsider the said vote ?

And passed in the negative.

The House proceeded to the consideration of the bill (No. 253) for the relief of Josiah Strong and Samuel Remick.

The question was stated, Shall the bill pass ? when

The said bill was, by unanimous consent, amended, by striking out all that part thereof which has relation to the case of Samuel Remick.

The question then recurred, Shall the bill pass as amended ? when,

On motion of Mr. Sherrod Williams, the said bill was ordered to lie on the table.

The House resumed the consideration of the engrossed bill (No. 382) entitled "An act for the relief of James Bailey ;" which was read the third time on the 29th December ultimo.

The question recurred, that the bill do pass ;

And, after debate,

A motion was made by Mr. Mallory, that there be a call of the House : which was decided in the negative.

A motion was made by Mr. Calhoun, of Kentucky, at twenty minutes after three o'clock, that the House do adjourn ; which was decided in the negative.

Another motion was made by Mr. Mallory, that there be a call of the House ; which motion was decided in the negative.

And, after further debate on the said bill,

A motion was made by Mr. Pope, that there be a call of the House : which being agreed to,

The roll was called over, and the following-named members, who have appeared at the present session, and who are not absent on business of the House, did not answer to their names, viz :

Messrs. Hugh J. Anderson, John T. Andrews, Charles G. Atherton, William Beatty, Cyrus Beers, Richard Biddle, Samuel Birdsall, Ratliff Boon, Nathaniel B. Borden, James W. Bouldin, George N. Briggs, Jesse A. Bynum, John Campbell, William B. Carter, Timothy Childs, John C. Clark, Jesse F. Cleveland, William K. Clowney, Henry W. Connor, George W. Crabb, Isaac E. Crary, Thomas Davee, John I. De Graff, John Denub, George H. Dunn, Franklin H. Elmore, George Evans, John Ewing, Richard Fletcher, Isaac Fletcher, Millard Fillmore, Jacob Fry, jr., Albert Gallup, James Garland, Joshua R. Giddings, Thomas Glascock, James Graham, William Graham, Seaton Grantland, Abraham P. Grant, Robert H. Hammond, Albert G. Harrison, William S. Hastings, Charles E. Haynes, Hopkins Holsey, Orrin Holt, Edward B. Hubley, William H. Hunter, Daniel Jenifer, John W. Jones, John Klingensmith, jr., Hugh S. Legare, Richard P. Marvin, Joshua L. Martin, Charles McClure, Richard H. Menefee, John Miller, Charles F. Mitchell, Ely Moore, Matthias Morris, Samuel W. Morris, Joseph C. Noyes, Charles Ogle, John Palmer, Lemuel Paynter, James A. Pearce, Luther C. Peck, Francis W. Pickens, Arnold Plumer, John H. Prentiss, Sergeant S. Prentiss, Joseph F. Randolph, Luther Reily, Abraham Rencher, R. Barnwell Rhett, John P. Richardson, Edward Robinson, Edward Rumsey, Leverett Saltonstall, Samuel T. Sawyer, Charles Shepard, William Slade, Adam W. Snyder, Edward Stanley, William Stone, Charles C. Stratton, Waddy Thompson, jr., Joseph L. Tillinghast, Isaac Toucey, Hopkins L. Turney, Henry

Vail, Joseph Weeks, John White, Jared W. Williams, Joseph L. Williams, John T. H. Worthington, Archibald Yell, Thomas Jones Yorke.

Further proceedings in the call were then dispensed with; and the House resumed the consideration of the bill for the relief of James Baily.

On motion of Mr. Sherrod Williams,

Ordered, That the said bill do lie on the table.

A motion was made by Mr. Parris, that the House do reconsider the vote to lay the said bill on the table; when

A motion was made by Mr. Sherrod Williams, that the motion to reconsider do lie on the table; which motion to lie was agreed to.

An engrossed joint resolution (No. 39) for the relief of Abraham Wright, of New York, was read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said resolution.

Engrossed bills of the following titles, viz :

No. 156. An act for the relief of James Moore ;

No. 178. An act for the relief of the heirs of Joseph Safford, deceased ;

No. 157. An act for the relief of the legal representatives of the late Robert Farmer, deceased ;

No. 158. An act for the relief of William Moore ;

No. 159. An act for the relief of Fariah Carter, and the heirs of Charles Williamson, deceased ;

No. 160. An act for the relief of the representatives of Etienne (Stephen) La Lande, deceased ;

No. 161. An act for the relief of Margaret Kingsbury ;

No. 162. An act for the relief of Henry L. Raviere ;

No. 163. An act for the relief of the legal representatives of Daniel Warner, deceased ;

No. 164. An act for the relief of Amelia Leach ;

No. 165. An act for the relief of Oliver Welch ;

No. 166. An act for the relief of Francis Jarvis ;

No. 167. An act for the relief of Usse Yoholo ;

No. 168. An act for the relief of Milley Yates ;

No. 171. An act for the relief of the representatives of Henry Richardson ;

No. 172. An act for the relief of Spencer C. Gist ;

No. 173. An act for the relief of Benjamin Hewitt ;

No. 175. An act for the relief of William Easby ;

No. 186. An act for the relief of Huldah Taylor ;

No. 228. An act for the relief of John B. Lasala ;

No. 394. An act for the relief of Chastelain and Ponvert ;

No. 329. An act for the relief of James W. Osborn ;

No. 233. An act for the relief of Lewis B. Willis, formerly acting deputy surveyor for the district of Mississippi ;

No. 237. An act for the relief of William W. Stevenson and Joseph Henderson ;

No. 236. An act for the relief of John Davlin ;

No. 239. An act for the relief of Robert Murray ;

No. 663. An act for the relief of Tilford Taylor ;

No. 240. An act for the relief of John Wiley and Jefferson Greer ;

- No. 241. An act for the relief of John Whitsett;
No. 242. An act for the relief of Jonathan Booné;
No. 244. An act for the relief of William Marbury;
No. 245. An act for the relief of Stephen Marsters;
No. 246. An act for the relief of Willis Stephens and others;
No. 247. An act for the relief of Thomas T. Triplett;
No. 249. An act for the relief of Captain Jesse Copeland;
No. 270. An act for the relief of Henry Lynch;
No. 272. An act for the relief of Samuel D. Walker;
No. 273. An act for the relief of John H. Pease;
No. 274. An act for the relief of Gilbert A. Smith and others;
No. 275. An act for the relief of Frederick Frey & Co.;
No. 281. An act for the relief of James M. Tuttle;
No. 293. An act for the relief of John Dixon;
No. 294. An act for the relief of Polly Lemon;
No. 632. An act for the relief of Henry Stoker, William C. Belknap, and Benjamin Walker;
No. 295. An act for the relief of William Washington Bigham;
No. 296. An act for the relief of Aaron Stout;
No. 297. An act for the relief of James Cooper;
No. 298. An act for the relief of John Borey;
No. 299. An act for the relief of William C. Hazard;
No. 301. An act to authorize the Secretary of the Navy to purchase a certain lot of land of the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts;
No. 302. An act for the relief of Dudley Walker;
No. 303. An act for the relief of Samuel Hambleton;
No. 304. An act for the relief of Benjamin Hewett;
No. 305. An act for the relief of the representatives of Benjamin Hodges, deceased.
No. 306. An act for the relief of Cornelius Manning;
No. 307. An act for the relief of the representatives of William Tudor, jr.;
No. 325. An act for the relief of Thomas Todd;
No. 326. An act for the relief of William Clark;
No. 327. An act for the relief of Zebulon Baxter;
No. 328. An act for the relief of Mary Sroufe; (The title of this bill was amended to read "An act for the relief of the heirs of Sebastian Sroufe, late of Ohio, deceased.")
No. 331. An act for the relief of Thomas H. Perkins;
No. 332. An act for the relief of John Kern and John D. George;
No. 333. An act for the relief of John McCarroll, jr.;
No. 335. An act for the relief of the heirs of John Dawson;
No. 342. An act for the relief of Marcus Quiney and William Gorham;
No. 343. An act for the relief of William Calver;
No. 344. An act for the relief of George Innes;
No. 346. An act for the relief of the heirs and legal representatives of Peter Alba;
No. 347. An act for the relief of the legal representatives of Henry Duchquette, William Hebit, dit Lacompte J. B. Dubois, and Charles Sanguette;
No. 348. An act for the relief of Henry Stigermire;

- No. 352. An act for the relief of the heirs and legal representatives of James Wilson, of Alexandria ;
- No. 357. An act for the relief of John Rowe and Samuel Rowe ;
- No. 358. An act for the relief of Poas Hadgo ;
- No. 359. An act for the settlement of the accounts of Edmund Roberts, late diplomatic agent of the United States to Cochin China, Muscat, and Siam ;
- No. 366. An act for the relief of Ebenezer Lobdell ;
- No. 370. An act for the relief of Thomas Sinnard ;
- No. 371. An act for the relief of Archibald R. S. Hunter ;
- No. 374. An act for the relief of Polly Lining, executrix of the last will and testament of Charles Lining, deceased, who, in his lifetime, and at the time of his death, was executor of the last will and testament of Edward Blake, deceased ;
- No. 375. An act for the relief of William Saunders and William R. Porter ;
- No. 379. An act for the relief of Zebulon Sheets ;
- No. 381. An act for the relief of William S. Colquhoun ;
- No. 386. An act for the relief of Thomas McClelland and James Smith ;
- No. 395. An act for the relief of the Springfield Manufacturing Company ;
- No. 397. An act for the relief of the representatives of Nathan Sage ;
- No. 398. An act for the relief of Daniel Malone ;
- No. 414. An act for the relief of Daniel Ward and George Ficklin ;
- No. 419. An act for the relief of Nathaniel Plumb ;
- No. 420. An act for the relief of Ashbel Mason ;
- No. 421. An act for the relief of Vincent Massoletti ;
- No. 426. An act allowing to James Lowe a section of land ;
- No. 429. An act granting a pension to Michael McCray ;
- No. 445. An act for the relief of Zachariah Jellison ;
- No. 446. An act for the relief of Sylvester Phelps and the heirs and legal representatives of Charles Landon, deceased ;
- No. 447. An act for the relief of John Balch, jr. ;
- No. 468. An act for the relief of Samuel Macomb ;
- No. 470. An act for the relief of the Louisville Savings Institution ;
- No. 471. An act for the relief of the legal representatives of Adam Smith, deceased ;
- No. 479. An act for the relief of George Rowe ;
- No. 483. An act for the relief of Ezekiel Jones ;
- No. 490. An act for the relief of Samuel Dickerson ;
- No. 493. An act for the relief of George C. Johnson ;
- No. 494. An act for the relief of John Baldridge ;
- No. 506. An act for the relief of Cornelius Tiers ;
- No. 508. An act for the relief of Bennet Shurley ;
- No. 516. An act for the relief of John H. Shepperd, administrator of Abiel Wood ;
- No. 519. An act for the relief of William Colt and William Donaldson ;
- No. 520. An act for the relief of the legal representatives of Michael Fenwick, deceased ;
- No. 526. An act for the relief of John Randolph Clay ;
- No. 535. An act for the relief of Abel A. Pasko and others ;
- No. 541. An act for the relief of Francis Mallaby ;

No. 547. An act for the relief of Solomon Sturges, assignee of Rezin Frazier ;

No. 566. An act for the relief of Captain John Vannettin and his company, for their services during the late war ;

No. 567. An act for the relief of James Alexander ;

No. 582. An act for the relief of Joseph R. Folsom, and owners and crew of the schooner Galaxy ;

No. 583. An act for the relief of James Selby ;

No. 598. An act for the relief of Francis Lambert ;

No. 599. An act for the relief of John E. Alexander ;

No. 602. An act for the relief of Nathaniel R. Hooe ;

No. 609. An act for the relief of Enoch Matson ;

No. 612. An act for the relief of James S. Cochran ;

No. 614. An act for the relief of the representatives of Aaron Vail ;

No. 615. An act for the relief of John Adams Smith ;

No. 616. An act for the relief of the legal representatives of Charles S. Walsh ;

No. 628. An act for the relief of the sureties of H. H. B. Hays, deceased, late a postmaster at Claiborne, Alabama ;

No. 630. An act for the relief of Eloï Rachal ;

No. 631. An act for the relief of Paul Poissot ;

No. 636. An act for the relief of the legal representatives of Josias Thompson ;

No. 637. An act for the relief of William Marcus, of Arkansas ;

No. 640. An act for the relief of Joseph Pierce and others.

No. 642. An act for the relief of John Blanc ;

No. 644. An act for the relief of Stephen P. W. Douglass ;

No. 662. An act for the relief of John Dougherty ;

No. 668. An act for the relief of the legal representatives of Thomas Murray ;

No. 669. An act for the relief of umbrella-makers of Philadelphia ;

No. 677. An act for the relief of the heirs of William Graham, deceased ;

No. 688. An act for the benefit of Joseph Dukes ;

No. 698. An act to confirm the claim of Charles Morgan to a tract of land ;

No. 699. An act for the relief of Sarah H. B. Stith ;

No. 701. An act for the relief of David Ballentine ;

No. 711. An act for the relief of Robert Milnor ;

No. 714. An act for the relief of Thomas Cushing ;

No. 716. An act for the relief of Abraham Stipp ;

No. 719. An act for the relief of John L. Allen ;

No. 732. An act for the relief of Nathaniel Mitchell ;

No. 735. An act for the relief of Herman Harris, of New York ;

No. 738. An act for the relief of Daniel Snider ;

No. 745. An act for the relief of Mrs. Frances Fowler ;

No. 751. An act for the relief of Jesse E. Dow ;

No. 756. An act for the relief of Isaac D. Saunders ;

No. 758. An act for the relief of William Grozer ;

were, severally, read a third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bills.

Engrossed bills of the following titles, viz :

No. 236. An act for the relief of the heirs and legal representatives of George C. Willard ;

No. 400. An act for the relief of Return B. Brown ;

No. 402. An act for the relief of John E. Wool ;

No. 422. An act for the relief of Jairus Loomis and James Bassett ;

No. 480. An act to authorize a settlement of the claims of George Fisher, for property destroyed by troops of the United States ;

No. 518. An act for the relief of Levi H. Bates and William Lacon ;

No. 708. An act for the relief of James H. Grant and others ;

were severally read the third time, and the consideration thereof was postponed until Saturday next, the 2d of February.

An engrossed bill (No. 351) entitled "An act for the relief of James P. Carlton," was read the third time ;

And the question was put, Shall it pass ?

And passed in the affirmative.

And then, on motion of Mr. Russell, the House reconsidered the vote on the passage of the said bill ; and the consideration thereof was then postponed until Saturday next, the 2d of February.

An engrossed bill (No. 372) entitled "An act for the relief of Benjamin Fry," was read the third time ;

And on the question, Shall it pass ?

It passed in the affirmative.

And then, on motion of Mr. Giddings, the House reconsidered the vote on the passage of said bill, and postponed the consideration thereof until Saturday next, the 2d of February.

An engrossed bill (No. 418) entitled "An act for the relief of certain settlers lying on what is called *the salt-lick reservation*, in the western district of Tennessee," was read the third time ; when

A motion was made by Mr. Maury, that the said bill be recommit-
ted to the Committee on Private Land Claims, with instructions to con-
sider and report upon the memorial and protest against its passage of
Robert P. Currin, claiming to be interested in the subject-matter of said
bill.

It was then, on motion of Mr. Chambers,

Ordered, That the further consideration of said bill be postponed until
Saturday next, the 2d of February.

On motion of Mr. Maury,

Ordered, That the petition and protest of Robert P. Currin, in relation
to the aforesaid *salt-lick reservation*, in Tennessee, and the petitions of
the residents on said reservation, presented to the House at former sessions
of Congress, be referred to the Committee on Private Land Claims.

The Speaker laid before the House a letter from the Secretary of the
Treasury, enclosing a report from the Solicitor of the Treasury, contain-
ing information called for by the House on the 14th of January instant, in
relation to the debts due to the United States from the Commonwealth
Bank, the Franklin Bank, and the Lafayette Bank, respectively, of the
city of Boston ; which letter and report were ordered to lie on the table.

And then, at a quarter before five o'clock, the House adjourned until
Monday next, twelve o'clock meridian.

MONDAY, JANUARY 28, 1839.

On motion of Mr. Evans,

Resolved, That the Committee on the Public Buildings and Grounds be instructed to inquire into the expediency of causing the naval monument, in front of the Capitol, to be removed to some more suitable and appropriate place.

On motion of Mr. Anderson,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a mail route from the town of Frankfort, in the State of Maine, to the town of Monroe in said State.

Mr. Reed submitted the following resolution ; which was read, and the rule which requires the same to lie on the table one day being suspended for the purpose, it was considered and agreed to :

Resolved, That the Secretary of the Treasury be directed to lay before this House, early at its next session, the amount of compensation, whether as fees or otherwise, which has been received by each of the district attorneys, district clerks, and marshals of the United States, as fees, or otherwise, as officers of the Government, during the year 1839 ; and to that end that said attorneys, clerks, and marshals be directed to keep and render an exact account of all money, &c., received.

On motion of Mr. Grennell,

Resolved, That the Committee on Military Affairs be directed to inquire into the expediency of extending the benefits of five years' half pay, now allowed by law to the widows and orphans of officers and soldiers of the militia and volunteers who die in the service of the United States, to the widows and orphans of officers and soldiers of the regular army who have died or shall die in the service, or in consequence of wounds received while in the line of their duty.

Mr. Fletcher, of Massachusetts, submitted the following resolution : which was read, and the rule which requires the same to lie on the table one day being dispensed with, it was considered and agreed to, viz :

Resolved, That the Secretary of the Navy be directed to furnish this House with certain charges heretofore preferred by Samuel Etheridge, of Massachusetts, against Captain J. D. Elliott, of the navy of the United States ; and to furnish the reasons, if any, why the Department has not heretofore ordered a court of inquiry to sit upon said charges against said Elliott.

Mr. Lincoln submitted the following resolution ; which was read, and the rule which requires the same to lie on the table one day being dispensed with, it was considered and agreed to, viz :

Resolved, That the Secretary of the Treasury be directed to inform this House whether the accounts of David Henshaw, late collector of the port of Boston and Charlestown, in the State of Massachusetts, have been settled with the Treasury of the United States ; and if so, whether any, and, if any, what amount of credit was allowed him for money deposited in the Commonwealth Bank in the name of said collector, and which remained on deposit at the time of the insolvency and failure of said bank, either to the credit of said collector or of the United States ; and whether any, and, if any, what sum has been passed to the credit of said collector, on account of payments or advancements to officers of the customs in

said port of Boston and Charlestown, for salaries, fees, or otherwise, in anticipation of appropriations, and for which no provision was made by law; and whether any credits have been allowed to said collector for any assignment of bank stock, transfer, or charge of bank deposits, or for property, real or personal, by sale or assignment, for which the Treasury of the United States has not already realized the *nominal amount* for which it was so sold or assigned in *specie value*; and if the accounts of said collector are still open and outstanding, that the Secretary report to this House the reasons why the same are not closed and settled.

Mr. John Quincy Adams submitted the following resolution, viz :

Resolved, That every member of the House of Representatives of the United States ought, before taking his seat therein, to produce at the Clerk's table, or to deposit in the Clerk's office, the credentials by virtue of which he claims his seat; and in all cases of contested elections, no member ought to be permitted to vote until the House, upon a report from the standing Committee of Elections, or by the vote of the majority of the members present, being a quorum of the House, shall have decided which of the claimants is entitled to the contested seat.

A motion was made by Mr. Toucey, that the said resolution be referred to the Committee of Elections;

And debate arising, the said resolution was laid over, under the rule.

On motion of Mr. Cushing, the House proceeded to the consideration of the resolutions submitted by him on the 31st of December ultimo; and the said resolutions were read, and modified and agreed to, as follows

Resolved, That the President of the United States be requested, if in his judgment not incompatible with the public interest, to communicate to this House information touching the following particulars in the territorial relations of the United States or Great Britain on this continent, viz:

1. The correspondence, if any, which has been had between the Government of the United States and that of Great Britain, or the military or civil authorities of either, in relation to the troubles in the British provinces of Upper and Lower Canada, and to alleged violations of neutrality on the part whether of Great Britain or the United States, or any of the officers, subjects, or citizens of each.

2. The correspondence had, or measures taken, by the Executive, if any, regarding citizens of the United States made prisoners of war at any time in any of the insurrectionary movements of Upper or Lower Canada.

3. Whether the Government of Great Britain has made reparation for the seizure and destruction of the steamboat *Caroline*, within the waters of the United States, and the murder of American citizens on board the same, by a band of armed invaders from the province of Upper Canada acting under the orders and authority of the Colonial Government of said province; and whether any, and what, negotiation or correspondence between the Government of the United States and the Government of Great Britain has taken place on that subject; and, if so, what is the present state of such negotiation.

4. Whether the Government of the United States has entered into negotiations with that of Great Britain for the purpose of arresting and preventing the further distribution of presents and payment of war subsidies by the latter Government to the Indian tribes within the territorial limits and jurisdiction of the United States; and, if so, what has been the result of the said negotiations.

5. Whether the Government of the United States has given to that of Great Britain the stipulated notice to annul and abrogate the convention of the 6th of September, 1827, under cover of which, and of the convention of the 20th of October, 1818, the Hudson's Bay Company has proceeded, with permission or by connivance of the Government of Great Britain, to establish military posts in the territories of the United States beyond the Rocky mountains.

6. Whether the Government of the United States has taken any measures, and, if any, what, to adjust, settle, and mark the boundaries between the United States and the British provinces in North America, from St. Mary's falls, between lake Huron and lake Superior, and so northwardly and westwardly along the frontier of the State of Michigan and the Territories of Wisconsin and Iowa, to the Rocky mountains.

7. What correspondence, if any, the Government of the United States has had with that of Great Britain, or any of its authorities or officers, or with the Government of the State of Maine, in regard to the late survey or investigation of the Northeastern boundary-line of the United States by the Government of said State, and the present condition of the negotiation relating to said boundary.

8. Whether any correspondence has recently passed between the British and American Governments relative to the free navigation of the navigable rivers common to the United States and the British possessions in North America, or of navigable rivers running, in part or in whole, through the territories of both Governments; and, if so, the result of the same.

9. Whether the public authorities of Upper Canada, or any of them, have undertaken to interdict or restrict the ordinary intercourse between said province and the contiguous parts of the United States; and, if so, by what law or pretence of right; and whether said interdict or restriction is consistent with the treaties subsisting between the United States and Great Britain.

In pursuance of notice heretofore given, Mr. Tillinghast asked leave to introduce a bill to allow a drawback of duties on imported hemp, when manufactured into cordage, and exported; and leave being granted,

Mr. Tillinghast introduced a bill accordingly, (No. 1087;) which bill was read the first and second time, and referred to the Committee of Ways and Means.

Mr. Haley moved the following resolution; and the rule being dispensed with, it was considered and agreed to, viz:

Resolved, That the Secretary of War be requested to furnish a copy of the report and drawings in reference to the harbor of Stonington, in Connecticut, together with any additional information in reference to the improvement of said harbor.

Mr. Everett submitted the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the Postmaster General be directed to inform this House—

1st. What was the practice of his Department at and prior to the 4th March, 1829, relative to the mode of filing and keeping the letters and communications received; particularly whether a register of them was made, and whether they were kept on file in the order of consecutive dates, with

numbers and letters corresponding with such register ; and whether, since that time, a change has been made in the mode of filing and keeping the same ; and, if so, what, and when, and by whom made ; and what is now the practice of the Department in these respects.

2d. Whether it is now the practice of the Department to keep and preserve on the regular files of the Department, or otherwise, and in what manner, all letters and papers received, having relation to the official business of the Department, and to preserve in the letter-books of the Department, or otherwise, copies of all letters and communications from the Department.

3d. What was the practice of the Department at and prior to the 4th of March, 1829, relative to communicating to postmasters against whom charges had been made, or for whose removal application had been made, copies of such charges or the substance of the same, or copies of such applications, and of the statements or evidence received in support of such charge or application, or any notice thereof before proceeding to act thereon ; and whether it was the practice to receive counter-statements or testimony on behalf of such postmasters ; and, also, whether it was the practice of the Department, in cases which did not require immediate action, to appoint an agent to take testimony, or to investigate the truth of the charges or grounds of the application ; and whether any change has since been made in the practice of the Department, in these respects ; and, if so, what, and when, and by whom made ; and what is now the practice of the Department in these respects.

4th. Whether it is now a rule or practice of the Department to refuse to postmasters who have been removed, on charges made or on the application of others, copies of such charges, or copies of the statements or evidence received in support of the same, or the reason or grounds of their removal, when required by such postmaster ; and if so, when was such rule or practice first adopted, and by whom ; and,

5th. The manner in which the accounts of the Department with contractors and postmasters are now kept.

Mr. Everett moved the following resolution ; and debate arising thereon, it was laid over, under the rule, viz :

Resolved, That the Committee of Elections be instructed to inquire into the expediency of providing by law—

1st. That the Clerk of the House of Representatives of the Congress of the United States in office on the last day of the last session of any Congress, shall remain in office until the organization of the House of Representatives of the succeeding Congress.

2d. That it shall be the duty of the Clerk to receive and file all certificates of election transmitted by the Executives of the several States.

3d. That it shall be the duty of said Clerk to make a roll of the members who, from such certificates, or, when no certificates are returned, from credentials from the Executive of the State, presented by persons claiming to be members of such Congress, appear to have been elected members of said Congress.

4th. That the said Clerk shall, at twelve o'clock, meridian, on the day appointed for the meeting of such Congress, call the members so enrolled to order, who shall then proceed to elect a Speaker and Clerk for the time being.

5th. Providing for the mode of taking testimony in case of contested

elections, and that the same be filed with the Clerk on or before the second Monday of the session.

6th. That said House, when so organized, shall appoint a Committee of Elections, by ballot, or viva voce, as a majority shall determine, to consist of thirteen members, who shall be sworn to the faithful discharge of their duty.

7th. That said committee forthwith proceed to examine and report on all contested elections, and that the persons contesting may be heard before the House by themselves and counsel; and which shall decide thereon without further debate.

8th. That, after the decision of all the cases of contested elections, the House shall proceed to elect a Speaker, Clerk, and other officers of the House for the Congress.

9th. That, if the election of Speaker shall result in the choice of another person, the standing committees shall be appointed anew.

Mr. Heman Allen submitted the following resolution; which was read, and debate arising, it was laid over, under the rule, viz:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the law on the subject of naturalization, as to exclude those from the privileges of natural-born citizens who are or shall be born of parents who have been removed, or shall remove, from the United States, and have taken or shall take the oath of allegiance to the Government in which they so reside, until such person shall become naturalized like other foreigners, agreeably to the laws that now do or hereafter may exist on that subject.

Mr. Fillmore moved the following resolution, viz:

Resolved, That the President be requested to communicate to this House, if not in his opinion incompatible with the public interests, what demand has been made upon the British Government for satisfaction for the outrage committed under its authority in burning the steamboat Caroline, and murdering our unarmed citizens on board; and what reply said Government has made to such demand; and all the correspondence on the subject of said outrage, between this Government and that, or the officers or agents of either, or the officers or agents of this Government and the President, or any of its departments, which have not heretofore been communicated to this House.

The said resolution was read; and the rule which requires the same to lie one day upon the table being dispensed with, it was considered, and agreed to.

On motion of Mr. Parker,

Resolved, That the Committee on Invalid Pensions be instructed to inquire into the expediency of granting a pension to John Robinson, of Delaware county, New York.

Mr. Grant submitted the following resolution; which was read, viz:

Resolved, That the Committee of Ways and Means be instructed to report to this House, with all convenient despatch, a bill making appropriations for the improvement of rivers and harbors for the year 1839, and for certain surveys of the same, according to the estimates for those objects as submitted to this House, or to said committee, during the present session, by the departments and bureaus having charge of said improvements and public works.

The previous question thereon was demanded by Mr. Grant; when,

objection to the consideration of the said resolution being made, it was laid on the table, under the rule.

Mr. Grant gave notice that he will, to-morrow, move for leave to introduce a bill making appropriations for certain harbors and for the removal of obstructions in and at the mouths of certain rivers during the year 1839.

Mr. Palmer submitted the following joint resolution; which was read, and debate arising thereon, it was laid over, under the rule, viz:

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That hereafter, when in any State or Territory the public lands belonging to the United States shall be reduced, by sales or otherwise, to a quantity not exceeding one-sixth part of their original amount, the minimum price of the public lands within such State or Territory shall be reduced twenty-five cents per acre; and a like reduction shall take place at the end of every two years thereafter: of which several reductions the President of the United States shall, by proclamation from time to time, give due notice, until said price shall be reduced to twenty-five cents per acre; and at the end of two years after such last reduction, all the public lands within such State or Territory shall be offered at public auction, for cash, to the highest bidder; like notice being given of such sale as now provided by law; at which sales, the States or Territories in which such lands are situated may become purchasers.

Mr. Clark submitted the following resolution; which was read, and debate arising thereon, it was laid over, under the rule, viz:

Resolved, That this House, in pursuance of the joint resolution of the 5th of February, 1829, will, on the second Monday of February next, at one o'clock, proceed to the election of a printer to the House for the twenty-sixth Congress.

On motion of Mr. Spencer,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of granting bounty lands to the commissioned officers who served in the army of the United States during the late war with Great Britain; and also of reviving the acts of 1816 and 1817, granting bounty lands to Canadian volunteers.

Mr. Pratt submitted the following; which was read, and debate arising, it was laid over, under the rule, viz:

Whereas the materials used in the erection of the Treasury building in this city are congelated sandstone, absorbing water, and requiring to be frequently painted, at great expense, to preserve it against rain and frost:

Therefore resolved, (as the sense of this House,) That all public buildings hereafter to be erected for the use of the Government shall be constructed of the hardest and most durable materials, either of marble or granite.

On motion of Mr. Bronson,

Resolved, That the Committee of Claims be instructed to inquire into the expediency of allowing to George J. Knight further compensation for a schooner called "the Experiment," belonging to him, which was destroyed by the enemy, in the last war with Great Britain.

On motion of Mr. Russell,

Resolved, That the Committee on Military Affairs be instructed to in-

quire into the expediency of continuing the military road from Plattsburg to Whitehall, in the State of New York.

Mr. Aycrigg submitted the following resolution ; which was read, and the rule which requires the same to lie on the table one day being dispensed with, it was considered, and agreed to, viz :

Resolved, That the Secretary of the Treasury be directed to furnish this House with a report and extract from the coast survey, containing Newark bay, in the State of New Jersey, and the bars in its vicinity.

Mr. Yorke moved the following resolution ; which was read, and debate arising thereon, it was laid over, under the rule, viz :

Resolved, That five hundred copies of Senate document No. 140, of the second session of the present Congress, be printed for the use of the members of this House.

Mr. Naylor submitted the following resolution ; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the Secretary of the Navy be directed to furnish this House with copies of the charges of inhuman, unofficerlike, ungentlemanly, and infamous conduct, preferred by Charles E. Barton, a passed midshipman of the United States navy, against Captain Jesse D. Elliott, whilst in command of the Mediterranean squadron, together with all communications in relation to said conduct of said Captain Elliott, and to said charges on file in the Navy Department ; and to communicate the reasons, if any, why the said Elliott has not been ordered to be tried upon said charges.

On motion of Mr. Darlington,

Resolved, That the Committee on Revolutionary Pensions inquire into the expediency of granting a pension to Margaret Marshall, the widow of a revolutionary officer ; and that the papers relating to the case be taken from the files of the House, and referred to that committee.

On motion of Mr. Sheffer,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing by law a post route from Chambersburg to Funkstown, Franklin county, Pennsylvania ; also, that the same committee be further instructed to inquire into the expediency of establishing a similar route from the borough of York, by way of East Berlin, to York Springs, Adams county, in said State.

Mr. Davies, of Pennsylvania, submitted the following resolution : which was read, and debate rising, it was laid over, under the rule, viz :

Resolved, That hereafter the daily hour of meeting of this House shall be eleven o'clock A. M.

Mr. McKennan submitted the following resolution :

Resolved, That the Secretary of the Treasury be directed to report to the House how long the balance of \$3,702 72, reported in the account of the receipts and expenditures of the United States for the year 1837, prepared in the office of the Register of the Treasury, against Thomas Irwin, Esq., late district attorney, and now district judge for the western district of Pennsylvania, has been standing on the books of the Treasury ; whether the said district attorney has presented any vouchers for the liquidation of that balance, which have been suspended ; and if not, and that balance is undisputed, to state why it has not been collected.

The rule which requires the said resolution to lie on the table one day being dispensed with, it was considered, and agreed to.

Mr. Jenifer, from the Committee for the District of Columbia, to which was referred the bill from the Senate (No. 35) entitled "An act making an appropriation for the support of the penitentiary in the District of Columbia," by leave, reported the same without amendment.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

Mr. Jenifer, from the Committee for the District of Columbia, to which was referred a petition from sundry citizens of the District of Columbia and of the State of Maryland, by leave, reported a bill (No. 1088) to provide a free bridge across the eastern branch of Potomac river, in the city of Washington; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Jenifer, from the Committee for the District of Columbia, by leave, reported a bill (No. 1089) to incorporate Washington's Manual Labor School and Male Orphan Asylum in the city of Washington, in the District of Columbia; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Jenifer, from the Committee for the District of Columbia, reported a joint resolution (No. 41) to fix the salary of the physician to the penitentiary in the District of Columbia; which resolution was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Craig submitted the following resolution; and debate arising thereon, it was laid over, under the rule, viz:

Resolved, That the second Tuesday in February next be set apart for the consideration of House bill (No. 546) entitled "A bill granting an additional quantity of land for the location of revolutionary bounty-land warrants," the said bill to take precedence of all other business on that day after the morning hour.

On motion of Mr. Morgan,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a mail route from Pittsburg, in Pennsylvania, to Morgantown, in Virginia.

On motion of Mr. Joseph Johnson,

Resolved, (the Senate concurring herein,) That the Joint Committee on the Library be instructed to inquire into, and report upon, the expediency of providing a digested index to the whole series of journals of the House, since the organization of the Government, alphabetically pointing to each subject-matter, with the year, volume, and page of record.

Mr. Mallory submitted the following:

Resolved, That the President of the United States be requested to communicate to this House the aggregate amount paid to all persons who have, since 1829, been concerned in negotiating treaties with the Indians; together with the names of such persons, and the sums, respectively, received by them in the way of per diem, mileage, and extra charges, and under what authority; and also, if any of the clerks in the State, Treasury, War, or Navy Departments, or any of the bureaus or offices thereof, are charged with the disbursement of public funds: if so, what amount of compensation is allowed to each for the performance of this extra service, and what security is required of them for its faithful performance.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

Mr. Mercer submitted the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the President of the United States be and he is hereby requested to lay before the House of Representatives a list of all removals from office which have occurred since the organization of the present Government of the United States, denoting the names of the persons so removed, and the title or denomination of their respective offices; also, a similar list of all persons whose term of service, having been limited by law to four years, have not been renominated; and that such list denote the date of each removal or expiration of office not succeeded by a re-nomination of the person whose term of service shall have so expired.

On motion of Mr. Banks,

Resolved, That the Committee on Invalid Pensions be instructed to inquire into the expediency of placing Linza Thomas on the pension-list; and that the Commissioner of Pensions furnish the committee with the documents in his possession in support of his claim for a pension.

Mr. Parris moved the following resolution; which was read, and, debate arising, it was laid on the table, under the rule, viz :

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of further extending the provisions of the pension act of July 7, 1838, to give benefit to the widows of revolutionary pensioners who have become widows since the passage of the pension act of July 4, 1836.

On motion of Mr. Beirne,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of making certain changes in the carrying of the mails, and certain alterations in the mail routes in Cabell county, Virginia, as suggested by the citizens of said county.

Mr. McKay submitted the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the Secretary of War be directed to inform this House whether any cases of defalcations, not heretofore reported to either House of Congress, have occurred on the part of public officers in any branch of the public service under the direction of his Department; the names of such defaulters, and the amounts of the defalcations respectively, and what proceedings have been adopted by him in each case.

On motion of C. Shepard,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of surveying Neuse river, in North Carolina.

On motion of Mr. Connor,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of granting a pension to Elizabeth Allen, widow of Vincent Allen, and a soldier of the Revolution.

Mr. Montgomery submitted the following resolution, viz :

Resolved, That the Secretary of War be instructed to inform this House whether any of the State troops called into the service of the United States in the Cherokee country yet remain unpaid; and if so, how many; and the reasons why these claims have not sooner been settled.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered, and agreed to.

Mr. Sawyer submitted the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the President of the United States be requested to communicate to this House, if not incompatible with the public interest, upon what authority Lewis Cass, minister to the Court of St. Cloud, visited Greece, Asia, and other foreign countries, since his appointment; and how long said minister was absent from the Court of the French King.

On motion of Mr. Lewis Williams, of North Carolina,

Resolved, That the Committee on Revolutionary Pensions be directed to inquire into the expediency of allowing the claim of Alexander Williamson, of Iredell county, in North Carolina; and that the evidence on file in this House be referred to the said committee.

On motion of Mr. Graham, of North Carolina,

Resolved, That the Committee of Elections be instructed to inquire into the expediency of passing a law of the following import, constituting the Committee of Elections :

That, on the third day of the first session of each Congress, the name of that member from each State who has received the greatest majority of votes for Congress among his own delegation shall be deposited in a box number one.

That the names of all the other members of Congress then in attendance shall be severally put in box number two.

That a boy under ten years old shall forthwith proceed to draw out of box number two the names of ten members, which names so drawn shall be placed in box number one.

That box number one, then containing thirty-six ballots, or names, shall be mixed, and immediately a boy under ten years old shall draw out one ballot, until the names of twelve members of Congress be so drawn; which twelve persons shall constitute the Committee of Elections.

That said committee shall thereupon be sworn by the Speaker to hear, investigate, and report truly all such contested elections as may be committed to their charge, according to the constitution of the United States, and the laws of the State in which the contest may or shall originate.

That said committee shall immediately retire to their committee-room, and elect their own chairman.

That in case of a vacancy in said committee, by death, resignation, or otherwise, such vacancy shall be filled by drawing one or more names from box number one, until the committee be again filled.

On motion of Mr. McKay,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of building a light-house on Oak island, at the mouth of Cape Fear river; also, of placing a small light-house on Campbell island, in said river.

Mr. Thompson submitted the following joint resolution; which was read the first and second time, and committed to the Committee of the Whole House on the state of the Union, viz :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the notes of sound specie-paying banks shall hereafter be received in payment of the dues of the Government, under such regulations and restrictions as may be prescribed by Congress.

Resolved, That the public funds shall hereafter be deposited with banks

owned, in whole or in part, by the States where situated; and that where none such exist, with such incorporated banks as the Secretary of the Treasury may select: *Provided*, That, when deposited with private incorporated banks, the funds of the Government are not to be used in the discounts or other business of such banks; and that the Secretary of the Treasury be authorized to contract with said banks for a stipulated compensation for the safe-keeping, transfer, and disbursement of the public moneys.

On motion of Mr. Haynes,

Resolved, That the Committee on the Public Buildings and Grounds be instructed to inquire into the practicability of enlarging the rooms, and giving additional light to the House library:

Of the propriety of having all books and documents belonging to the House, as they pass into print, placed in the same for safe-keeping, and for reference; whereby one depository will be made of the whole:

Of appointing the librarian by the House, and requiring him to give bond for the faithful keeping and preserving of all the printed records so to be placed in his charge.

Mr. Grantland presented a resolution by the General Assembly of the State of Georgia, soliciting the establishment of a weekly mail route (the mail to be carried on horseback) between Blairsville, in the county of Union, and Dahlonega, in the county of Lumpkin, by the way of Cooper's gap, in the Blue Ridge; which resolution was referred to the Committee on the Post Office and Post Roads.

On motion of Mr. Southgate,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of increasing the public buildings, and enlarging the public grounds, at the military post at Newport, in Kentucky.

Mr. Sherrod Williams, of Kentucky, submitted the following resolution: which was read; and, debate arising, it was laid over, under the rule, viz:

Resolved, That, for the residue of this session, the daily hour to which this House shall stand adjourned be ten o'clock, A. M.

Mr. Underwood submitted the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the Secretary of the Treasury be directed to state, in the report which may be made to the House in answer to the resolution adopted on the 14th day of January, 1839, calling for "the amount of money expended annually by each administration in the Government, from the 4th of March, 1789, to the 4th of March, 1837; with the amount of public money lost annually by defalcations of public officers," &c., whether suits have been instituted against the several defaulting debtors, and when. And further, that he inform this House when the defaulting debtors were severally appointed, or employed, in the public service.

A motion was made by Mr. Sherrod Williams, that the rules in relation to the order of business be suspended, and that the House do now proceed to the consideration of the resolution submitted by him on the 31st of December ultimo, and which was laid over, under the rule.

And on the question, Shall the rule be suspended for the purpose aforesaid?

It passed in the affirmative, (two thirds voting therefor,) } Yeas, 89,
} Nays, 43.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
 James Alexander, jr.
 John W. Allen
 Andrew Beirne
 John Bell
 William Key Bond
 James W. Bouldin
 John C. Brothead
 Isaac H. Bronson
 C. C. Cambreleng
 William B. Campbell
 William B. Carter
 Zadok Casey
 John Chambers
 Richard Cheatham
 John C. Clark
 William K. Clowney
 Walter Coles
 Thomas Corwin
 George W. Crabb
 Robert Craig
 Robert B. Cranston
 John W. Crockett
 Edward Darlington
 Edward Davies
 George H. Dunn
 John Edwards
 George Evans
 Horace Everett
 John Ewing

Mr. Rice Garland
 Patrick G. Goode
 William Graham
 William J. Graves
 John K. Griffin
 William Halsted
 Albert G. Harrison
 Alexander Harper
 Richard Hawes
 Thomas Henry
 William Herod
 William H. Hunter
 Henry Johnson
 John P. Kennedy
 Francis S. Lyon
 Francis Mallory
 James M. Mason
 Samson Mason
 Joshua L. Martin
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 Thomas M. T. McKenna
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle

Mr. James A. Pearce
 John Pope
 David Potts, jr.
 Sergeant S. Prentiss
 James Rariden
 Abraham Rencher
 Joseph Ridgway
 John Robertson
 Samuel T. Sawyer
 John Sergeant
 Augustine H. Shappard
 Charles Shepard
 Ebenezer J. Shields
 Mark H. Sibley
 William Slade
 William W. Southgate
 William Stone
 Charles C. Stratton
 John Taliaferro
 Waddy Thompson, jr.
 Joseph L. Tillingham
 George W. Toland
 Joseph R. Underwood
 Albert S. White
 John White
 Lewis Williams
 Sherrod Williams
 Joseph L. Williams
 Thomas J. Word.

Those who voted in the negative are—

Mr. Charles G. Atherton
 Linn Banks
 John Campbell
 Reuben Chapman
 Henry W. Connor
 Isaac E. Cray
 Samuel Cushman
 John I. De Graff
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 James Graham
 Abraham P. Grant
 Hiram Gray
 Micajah T. Hawkins

Mr. Benjamin C. Howard
 Nathaniel Jones
 Gouverneur Kemble
 John Klingensmith, jr.
 Daniel P. Leadbetter
 Arphaxed Loomis
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 John Miller
 William Montgomery
 Ely Moore
 Samuel W. Morris

Mr. John L. Murray
 John Palmer
 Amasa J. Parker
 David Petrikin
 Lancelot Phelps
 Arnold Plumer
 William W. Potter
 Zadock Pratt
 John H. Prentiss
 Francis E. Rives
 Adam W. Snyder
 Isaac Toucey
 Hopkins L. Turney
 Archibald Yell.

The House then proceeded to the consideration of the said resolution, which is as follows:

Resolved, That the Secretaries of State, Treasury, War, and Navy, and the Postmaster General, be, and they are hereby, respectively, required to report and communicate to this House, as soon as practicable, what were the expenses of their respective Departments, including every item of expenditure, in the year commencing on the 4th day of March, 1828, and ending on the 3d day of March, 1829, and so on for each successive year up to the 4th of March, 1838, and from thence up to the 1st day of January, 1839, placing each item of expenditure under its proper head; and further, to report and communicate the number of clerks and other officers, of every description whatever, belonging to their respective Departments, with the salary or pay of each, in each year separately, com-

mencing on the 4th day of March, 1828; and so on for each successive year up to the 4th of March, 1838, and from thence up to the 1st day of January, 1839; and further to report how much (if any thing) has been allowed as extra pay to any clerk or other officer of their respective Departments at any time within the foregoing periods, and for what services those extra allowances were made.

A motion was made by Mr. Rencher to amend the said resolution, by inserting therein the words "the Clerk of the House of Representatives, and the Secretary of the Senate;"

And pending the question on this motion,

The previous question was moved by Mr. Sherrod Williams; when

A call of the House was moved by Mr. Rives; which was decided in the negative.

The House then divided on the motion for the previous question; when it was found that a quorum was not present.

A motion was then made by Mr. Banks, that there be a call of the House;

And the question being put,

It passed in the affirmative, { Yeas, 94,
Nays, 40.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
Hugh J. Anderson
Charles G. Atherton
J. Banker Ayer
Linn Banks
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
John C. Brodhead
Isaac H. Bronson
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Reuben Chapman
Richard Chestnut
John C. Clark
Walter Coles
Henry W. Connor
Thomas Corwin
George W. Crabbs
Robert Craig
Robert B. Cranston
John W. Crockett
Caleb Cushing
Samuel Cushman
Edward Darlington

Mr. Edward Davies
George H. Dunn
John Edwards
Horace Everett
John Ewing
Richard Fletcher
Rice Garland
Patrick G. Goode
James Graham
William Graham
William J. Graves
George Grennell, jr.
John K. Griffin
Thomas L. Hamer
Albert G. Harrison
William S. Hastings
Micajah T. Hawkins
Charles E. Haynes
Daniel Jenifer
William Cost Johnson
John P. Kennedy
Francis S. Lyon
Francis Mallory
Samson Mason
Abram P. Maury
James J. McKay
Robert McClellan
Abraham McClellan
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer

Mr. John J. Milligan
John Miller
Calvary Morris
Charles Naylor
Amasa J. Parker
William Parmenter
James A. Pearce
Francis W. Pickens
John Pope
William W. Potter
Sergeant S. Prentiss
James Rariden
Abraham Rencher
Joseph Ridgway
Francis E. Rives
John Robertson
Mark H. Sibley
William Slade
William W. Southgate
James B. Spencer
William Stone
Charles C. Stratton
John Taliaferro
Joseph L. Tillinghast
George W. Towns
Joseph R. Underwood
Henry Vail
John White
Lewis Williams
Thomas J. Word
Archibald Yell.

Those who voted in the negative are—

Mr. John W. Allen
John Campbell
Isaac E. Cray
John I. De Graff
George Evans

Mr. Jacob Fry, jr.
Benjamin C. Howard
Samuel Ingham
Henry Johnson
Gouverneur Kemble

Mr. Hugh S. Legare
Daniel P. Leadbetter
Levi Lincoln
Joshua L. Martin
John P. B. Maxwell

Mr. Ely Moore
John L. Murray
Joseph C. Noyes
Charles Ogle
David Petrikim
Arnold Plumer
David Potts, jr.
Zadock Pratt
John P. Richardson

Mr. Edward Robinson
Samuel T. Sawyer
John Sergeant
Charles Shepard
Ebenazer J. Shields
Adam W. Snyder
Archibald Stuart
Waddy Thompson, jr.

Mr. George W. Toland
Hopkins L. Turney
Abraham Vanderveer
Taylor Webster
Albert S. White
Sherrod Williams
Joseph L. Williams
Christopher H. Williams.

The roll was then called in part; when,

On motion of Mr. Cushman, further proceedings in the call were dispensed with;

And the House again divided on the motion for the previous question; when it was demanded by a majority of the members present.

The previous question was then put, viz: Shall the main question be now put?

And passed in the negative, { Yeas, 72,
 { Nays, 97.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. James Alexander
Heman Allen
John W. Allen
J. Banker Aycrigg
John Bell
Richard Biddle
William Key Bond
William B. Campbell
William B. Carter
John Chambers
Richard Cheatham
John C. Clark
Thomas Corwin
Robert B. Cranston
John W. Crockett
Edward Darlington
Edward Davies
George H. Dunn
John Ewing
Richard Fletcher
Rice Garland
Joshua R. Giddings
Patrick G. Goode
William Graham

Mr. William J. Graves
William E. Hastings
Thomas Henry
William Herod
Ogden Hoffman
Jabez Jackson
Daniel Jenifer
Henry Johnson
William Cost Johnson
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
William Montgomery
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
John Pope
David Potts, jr.

Mr. Sergeant S. Prentiss
James Rariden
John Reed
Joseph Ridgway
Edward Robinson
Edward Rumsey
Leverett Saltonstall
John Sergeant
Augustine H. Shepperd
Ebenazer J. Shields
William W. Southgate
Archibald Stuart
Charles C. Stratton
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Thomas J. Word.

Those who voted in the negative are—

Mr. John Quincy Adams
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Ratcliff Boon
Isaac H. Bronson
William B. Calhoun
John Calhoun
C. C. Cambreleng
John Campbell
Zadok Casey
John Chaney
Reuben Chapman

Mr. Jesse F. Cleveland
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Isaac E. Cray
Caleb Cushing
Samuel Cushman
John I. De Graff
John Edwards
George Evans
Horace Everett
James Farrington
Millard Fillmore
Jacob Fry, jr.
James Garland
James Graham

Mr. Seaton Grantland
Hiram Gray
John K. Griffin
Thomas L. Hamer
Albert G. Harrison
Alexander Harper
Micajah T. Hawkins
Charles E. Haynes
Benjamin C. Howard
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
Gouverneur Kemble
Hugh S. Legare
Daniel P. Leadbetter
Levi Lincoln

Mr. Henry Logan
 Francis S. Lyon
 Richard P. Marvin
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 John Miller
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 John L. Murray
 William H. Noble
 Amasa J. Parker

Mr. William Parmenter
 Virgil D. Parris
 James A. Pearce
 Luther C. Peck
 David Petrikin
 Lancelot Phelps
 Francis W. Pickens
 Arnold Plumer
 William W. Potter
 Zadock Pratt
 Abraham Rancher
 John P. Richardson
 Francis E. Rives
 Samuel T. Sawyer
 Daniel Sheffer

Mr. Charles Shepard
 Matthias Shepler
 Mark H. Sibley
 William Shide
 Adam W. Snyder
 James B. Spencer
 Waddy Thompson, jr.
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Henry Vail
 Abraham Vanderveer
 Taylor Webster
 Jared W. Williams
 Archibald Yell.

And so the House determined that the main question should not now be put.

Mr. Menefee moved the following resolution :

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to communicate to this House a statement of the sums respectively awarded, under the act of July 13, 1832, for carrying into effect the convention with France of July 4, 1831, in favor of persons from whom sums of money were due to the United States; the amounts to which they were respectively entitled under the ratable proportions provided for by said act; the amounts respectively paid to them; the amounts respectively entered to their credit by reason of the deductions provided for in said act; why (if the fact be so) said persons did not receive the full benefit of said act, either by payment or credits on their debts to the United States; whether an agent was employed by the Treasury Department to ascertain the persons thus indebted; and, if so, who he was, on what terms employed, and, if paid, to what amount, how, and by what authority; and whether all the facts necessary to enable the Secretary to make said deductions did not previously exist on the files of his Department, and were not actually furnished for that purpose by an officer thereof under his direction.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Joseph L. Williams, of Tennessee,

Resolved, That the Committee on Commerce inquire into the expediency of an appropriation for the improvement of the Holston and Tennessee rivers, under the survey made by Colonel Long, of the United States topographical corps, in the year 1832; and, also, into the expediency of an appropriation for a survey of so much of said streams and their navigable tributaries as is not embraced in the actual survey herein indicated.

On motion of Mr. Joseph L. Williams, of Tennessee,

Resolved, That the Committee of Claims inquire into the expediency of indemnifying, for their necessary expenses, the company of Captain John B. Croziers, mounted volunteers Tennessee militia, who repaired to Athens, the place of rendezvous preparatory to entering the service of the United States, under the proclamation of Governor Cannon of the 6th of June, 1836.

Mr. William B. Campbell moved the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the Secretaries of the Navy, War, State, and Treasury

Departments be respectively directed to communicate to this House what per centage is allowed disbursing officers, in their several Departments, for the disbursement of the public money, by any regulation of the Department; and whether any officer receiving a salary fixed by law has, since the 4th day of March, 1829, been allowed a per centage as compensation for extra services for the disbursement of the public money; the name of such officer or officers, and the amount so received by each; and that they be respectively directed to communicate to this House copies of any regulations which may have been made, under which such per centages are allowed and paid. And that the Secretary of the Treasury be directed to lay before this House any correspondence upon the subject of the money retained by William Steuben Smith, late a clerk in the Land Office; and to inform this House what sum the said Smith retains, and whether the amount retained in his hands exceeded the disbursements he was required to make; or whether he failed to make the disbursements required, and withheld the money, refusing to apply it as directed; and that he also inform this House when said Smith failed or refused to pay over the money in his hands, when suit was instituted against him, and when he resigned his office, or was dismissed from the service.

Mr. Crockett moved the following resolution:

Resolved, That the Secretary of the Treasury be instructed to communicate to this House the amount of money already expended in the construction of the new custom-house at New York, and what amount is estimated to be necessary to complete it.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

Mr. Carter moved the following resolutions, viz:

Resolved, That the Secretary of War be directed to communicate to this House, with as little delay as possible, what progress has been made in the execution of the treaties with the Chickasaw Indians of 20th October, 1832, and 24th May, 1834; what amount of funds has been received by the United States, in trust for said tribe of Indians, arising from the sale of their lands; and how the same has been invested, at what time, and in what stocks, and the name of the agent or agents concerned in negotiating all such investments; also, the whole amount of the expense incurred in the execution of said treaties; the amount of such expense paid by the Government, and the amount paid from the sales of the lands by said Indians; also, the name of each officer or agent employed in the execution of said treaties, the date of his appointment, the nature of the service of each of them, the time each was *actually employed*, as nearly as may be ascertained, the rate of compensation, and the aggregate amount paid to each.

Resolved, That the said Secretary of War be also directed to report to this House the whole number of the Choctaw Indians who removed west of the Mississippi, under the superintendence of the United States, according to the provisions of the treaty of Dancing Rabbit creek, (1830,) and the number removed in each year since the commencement of emigration; also, the name of each officer or agent employed in the execution of the several articles of said treaty, the date of his appointment, the nature and term of the service of each, the rate and the aggregate amount of compensation paid to each, together with the amount of service actually performed, in all cases admitting of such information; also, the name and date

of appointment, the time of actual service, rate and aggregate amount of compensation of each officer or agent appointed under the provisions of the act of the 3d March, 1837, entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the 14th article of the treaty of 1830, with the Choctaw Indians," and the act of the 22d February, 1838, amending the same; also what progress has been made in the execution of the objects of said acts.

The rule which requires these resolutions to lie on the table one day being dispensed with, they were considered and agreed to.

Mr. Bell moved the following resolution, viz :

Resolved, That the Secretary of the Treasury be directed to inform this House what steps have been taken by the Department, or by the agent or Solicitor of the Treasury, to collect the balance due or claimed to be due the United States from John Brahan, late receiver of public money at Huntsville, Alabama, or from his legal representatives; and that he communicate copies of all the correspondence and other papers within the control of the Department relative to said claim.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

Mr. Turney moved the following resolution, viz :

Resolved, That the Secretary of War communicate to this House the number of horses belonging to the volunteers in the service of the United States, in Florida, which were turned over to the United States, and the orders under or by which they were so turned over, and by what authority said orders were made. That he also communicate the aggregate value of said horses when mustered into service, with their equipages, and also the value assessed at the time they were turned over; and that he communicate the cause of the great difference in value, and whether it was not owing to the fact that a large portion of said horses had given out, and were abandoned for want of forage. That he also communicate the number of claims for lost horses now on file, the number that have been paid, and the number yet remaining to be audited and paid, and the reason why they have not been paid before this; and whether the claims of the volunteers, under the command of Major Lauderdale, for lost horses, have been examined by the Third Auditor, and the causes of the great delay of that officer to perform this service, and when it is likely he will examine and adjust said claims.

The rule which requires this resolution to lie on the table one day being suspended by a vote of the House, the said resolution was considered and agreed to.

Mr. Cheatham moved the following resolution, viz :

Resolved, That the Secretary of the Treasury be directed to communicate to this House a supplement to the tabular statements transmitted by him on the 4th January, 1836, in compliance with a resolution of the House of the 31st December, 1835, exhibiting in such supplement a statement of the sums annually paid under each material head of expenditure from 1834 to 1839.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to by the House.

On motion of Mr. Harper,

Resolved, That the Committee of Claims be instructed to inquire into the expediency of making compensation to the heirs and legal represent-

atives of James Reynolds for a horse lost in the late war with Great Britain.

Mr. Bond moved the following resolution, viz :

Resolved, That the Secretary of the Treasury be directed to report to this House the date and amounts of the official bonds of the collectors and naval officers at the ports of Philadelphia, New York, and Boston, together with the names of the securities of said collectors and naval officers, respectively.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Leadbetter,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the law in relation to the judiciary, as to require an interchange of the duties of circuit and district judges of the United States courts in all cases where it would be improper for them to sit, on account of interest, or where parties cannot obtain a fair trial, &c.

On motion of Mr. Goode,

Resolved, That the Committee on the Public Lands, to whom is now committed a resolution instructing them to inquire into the expediency of reporting a bill to authorize the State of Ohio to purchase the United States alternate sections of land on the Miami canal, in the State of Ohio, and the United States alternate sections of land on so much of the Wabash and Erie canal as lies within the State of Ohio, at \$2 50 per acre, be hereby further instructed to extend their inquiries into the expediency of providing, also, in the same bill, for the receding to the State of Ohio, by the United States, the right it now has to navigate said canals free of toll.

Mr. Henry Johnson, of Louisiana, moved the following resolution :

Resolved, That the Postmaster General be directed to report to this House the number of failures in the ordinary and express mails, distinguishing between the said mails, to and from the city of New Orleans, within the last six months; the causes of said failures, and the steps adopted by him to prevent the recurrence of such failures.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Henry Johnson, of Louisiana,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making an appropriation to aid in the improvement of the harbor on lake Pontchartrain, at Port Pontchartrain, in the State of Louisiana.

Mr. White, of Indiana, moved the following resolution, viz :

Resolved, That the Secretary of War be directed to report to this House whether, in his opinion, the improvements can be suspended or discontinued upon the harbors now in a process of construction, without endangering the existence of the structures already begun, and without exposing the Government to a waste of the moneys already expended; what is the average progress of those harbors towards completion; and whether the interests of commerce would not be deleteriously affected by such suspension or discontinuance; and that he extend his report to the rivers whose channels are now undergoing improvement under the authority of the United States.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Graham, of Indiana,

Resolved, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of repealing the act of Congress entitled "An act directing the transfer of money remaining unclaimed by certain pensioners, and authorizing the payment of the same at the Treasury of the United States," approved April 6, 1838.

Mr. Rariden moved the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the Secretary of War be directed to report to this House the names and rank of the officers of the army of the United States who have been employed since July, 1834, in paying Indian annuities, or in making payment under treaty stipulations; showing the tribe or nations to whom paid, and the amount paid to each tribe, with the amount paid to such officers, either as salaries, per centage, per-diem pay, mileage, transportation, or subsistence. And, also, the names and residence of each individual employed since July, 1834, in the transportation of money, goods, or other property paid to the Indians; the amount of, and what property transported; the amount paid to each person so employed, distinguishing what was paid as wages, what for transportation, mileage, subsistence, or per centage, and how long each person was so employed in each case, and for what tribe or nation. And, also, the names and residence of each person employed in removing the Indians west of the Mississippi since 1830, exclusive of the army, together with the compensation paid to each; how long each was employed, and in what capacity; noting what was paid to each as salary, what as per-diem pay, expenses incurred, or subsistence, during the time so employed. And, also, to report the names and residence of all persons employed as commissioners, or by any other name, since 1830, to investigate claims against Indians; and the names and residence of the persons employed to aid such commissioners, whether as clerks, secretaries, or attorneys, together with the location of the Indians where the service was rendered; the amount of claims investigated, the time employed, and the amount of compensation allowed each, whether as salary, per-diem allowance, expenses, transportation, subsistence, or per centage; and to specify under what laws the various persons before named have been appointed to the several employments, and paid.

Mr. Ewing moved the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the Secretary of War be requested to communicate to this House the number and places of payment of agents, now authorized to satisfy revolutionary and other pensions, declared payable in the State of Indiana; the compensation, if any, to which said agent or agents are or claim to be entitled; also, the terms, if known at the Department, upon which the State Bank of Indiana would agree to stipulate to make all such payments, through the instrumentality of her branch bank; with all such additional information as he may possess and deem proper to show the trouble, loss, and delay to which the poor pensioners, payable in said State, are now subjected, by reason of great distance from the point or points at which they can alone receive payment; and to demonstrate the justice and expediency of providing by law for a more suitable and uniform mode of making all such payments hereafter.

Mr. May submitted the following resolution ; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the Secretary of the Treasury be directed to communicate to this House the correspondence which took place, in the year 1838, between his Department and James Turney, relative to his appointment to, and acceptance of, the office of register of the land office at Galena, in the State of Illinois ; and, also, between the Department and William G. Flood, relative to his appointment to, and acceptance of, the office of register of the land office at Quincy, in the said State of Illinois, in the year 1838 ; and that the said Secretary be directed to inform this House whether the business of said offices has not been suspended for some time, in consequence of the non-acceptance of the said individuals, and how long it has been so suspended, and why the said offices have not been filled ; and whether, notwithstanding the non-acceptance of the said James Turney and William G. Flood, they have been nominated or appointed by the President, by and with the advice and consent of the Senate, to the said offices ; and whether it is known to the Department that those persons are now members of the Legislature of the State of Illinois, and are, at this time, in the discharge of their duties as such.

On motion of Mr. Casey,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of granting to the State of Illinois township 5 north, range 14 west, in the district of land subject to sale at Palestine, in said State ; said land to be disposed of by the State authority, and the avails thereof to be applied exclusively to the improvement of the navigation of the Embarras river.

On motion of Mr. Snyder,

Resolved, That the Committee on Commerce inquire into the expediency of creating ports of entry and delivery at Chicago, Alton, and Cairo, in the State of Illinois.

On motion of Mr. Chapman, of Alabama,

Resolved, That the Committee of Claims be instructed to investigate the accounts of McNary Harris, as late quartermaster and acting commissary of subsistence to Colonel Benjamin Snodgrass's regiment of Alabama volunteers in Florida, and of making provision for the payment of the same, if found correct.

On motion of Mr. Harrison,

Resolved, That the Committee on the Public Lands be instructed to inquire into the expediency of making three additional land districts in the State of Missouri ;

That they further inquire into the expediency of providing by law for prospective pre-emptions.

On motion of Mr. Yell,

Resolved, That the Committee on the Public Lands be instructed to inquire into the propriety of making further provisions for the claimants to military bounty lands, either by setting apart a portion of the public land. or to authorize the issuing of scrip to satisfy all such claims.

On motion of Mr. Yell,

Resolved, That the Committee on the Public Lands be instructed to inquire into the propriety of so amending the act of the 7th of July, 1836, establishing the western land district in the State of Arkansas, so as to carry into effect the provisions of said act forthwith.

On motion of Mr. Downing, delegate from Florida,

1. *Resolved*, That the Committee on the Territories be instructed to inquire into the expediency of increasing the salaries of the keeper of the public archives in Pensacola and St. Augustine, in Florida.

2. *Resolved*, That the Committee on Roads and Canals be instructed to inquire into the expediency of appropriating a sum of money to repair the military road from Jacksonville to Newnansville, in Florida.

Mr. Downing, delegate from Florida, moved the following resolutions; which were read, and laid on the table one day, under the rule, viz:

1. *Resolved*, That the Secretary of War be, and hereby is, instructed to communicate to this House, at the earliest day practicable, all the information in his Department, respecting the disposition which has been made of such negro and other property as has been captured from the hostile Indians in the course of the present war in Florida, and the means (if any) which were adopted to ascertain whether any portion of the property so captured belonged to, or was claimed by, inhabitants of Florida; and whether a fair or reasonable opportunity was afforded to said inhabitants to prefer claims and show their right of ownership to such captured property; and whether all negroes and other captured property owned or claimed by citizens of Florida were surrendered to the owners and claimants, or so bestowed as to secure to said claimants and owners a proper protection of their rights and interests; and whether or not any bargain or arrangement was made by the Government or its officers with the Creek Indians, or others employed to aid in the prosecution of the war against the Seminoles, by which said Creeks or others have been allowed, either by themselves or agents, to take possession of, and appropriate to their own use and profit, any negroes or other captured property; and, if so, to what extent such bargain has been permitted to operate, and what amount of negro and other property has, under its provisions or conditions, been placed at the disposal of said Creeks or others, and what portion of the property so placed is owned or claimed by citizens of Florida.

2. *Resolved*, That the Secretary of War be also instructed to ascertain, and report to Congress at the earliest day practicable, the names of all persons (not in the line of the regular army or of the volunteers or militia) who have been, in the course of the present war in Florida, impressed into the service of the United States, or otherwise employed as guides, interpreters, or pack-horsemen; and what portion, if any, of the persons so employed were slaves owned or claimed by citizens of Florida; at what rate of compensation they were held in service, and whether such rate of compensation has been paid; and if so, whether it was paid to the owners or claimants of such slaves; and, if not paid to them, to whom and by what authority was it paid to persons other than such owners or claimants.

And be it resolved, That the Secretary of War be further instructed to furnish at the same time to this House, copies of all such correspondence as may have taken place between his Department and the officers from time to time in command of the military forces engaged in the war in Florida; and, also, all such as may have occurred between his Department and any of the citizens of Florida, on the subject of negro or other property lost by them in the war, and especially such as relates to property recaptured from hostile Indians.

On motion of Mr. Crary,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing the following mail routes in Michigan :

From Ann Arbor to Springville, by Manchester.

From Lafayette to South Haven.

From Jefferson to Grand-river road, by Oneida.

From Fort Gratiot to White Rock.

From Romeo to Saganaw road, by Orion.

From Lapeer to Lower Saganaw.

From Lapeer to White Rock.

From Saganaw to the mouth of the Maskegon.

From Port Huron to Ionia.

On motion of Mr. Doty, delegate from Wisconsin,

Resolved, That the petition of inhabitants of the Wisconsin mining district, praying for a redress of grievances, be referred to the Secretary of the Treasury ; and that he be requested to direct the attorney of the Territory of Wisconsin to investigate the matters alleged in the petition, and report the facts and evidence to this House at its next session.

On motion of Mr. Chapman, delegate from Iowa,

1. *Resolved*, That the Committee on Roads and Canals be instructed to inquire into the expediency of making an appropriation for a road from Burlington, on the Mississippi river, through the counties of Des Moines, Henry, and Van Buren, to the Indian agency in the Territory of Iowa ; also, into the expediency of making an appropriation for the survey and examination, with a view to the improvement of the navigation of Skunk river, in said Territory.

2. *Resolved*, That the Committee on the Territories be instructed to inquire into the expediency of giving the judges of the supreme court of Iowa Territory the same salary as those of Wisconsin ; and, also, into the expediency of so amending the organic law of the said Territory as to require the Governor thereof to return to the Legislative Assembly all bills by them passed, of which he may have refused his approval ; and so that, on passing such bills by a majority of two-thirds, they shall become laws, subject, however, to be disapproved by Congress.

3. *Resolved*, That the Secretary of State be requested to communicate to this House the report of the commissioner appointed to survey and mark the boundary-line between Missouri and Iowa.

Mr. Graham, of North Carolina, moved the following resolution, viz :

Resolved, That the Secretary of War be instructed to inform this House why the volunteers from the State of North Carolina were not paid, when discharged, for the services rendered, for the clothing and equipments furnished by themselves, and the time spent in the service of the United States, during the year 1838, while ordered into the Cherokee nation ; how long after their discharge, and in what kind of funds, were they paid off ; and what portion of said troops are not yet paid, and the reasons which exist for such non-payment.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

Under the order of the House of the 14th of December last, petitions were referred as follows, to wit :

By Mr. Herod : Of Francis Griffith ; which was referred to the Committee on Invalid Pensions ;

Of James Campbell ; which was referred to the Committee on Invalid Pensions.

By Mr. Kennedy : Of Nathan Levy ; which was referred to the Committee on Commerce.

Mr. Rives presented a petition of Gregory Matthews, of the county of Powhatan and State of Virginia, praying compensation for extra services rendered in carrying the mail from Powhatan court-house to Smithville, in said State ; which petition was referred to the Committee of Claims.

The following memorials were presented by Mr. Doty, to wit :

Of the Legislative Council of the Territory of Wisconsin, praying a donation of land for the improvement of the navigation of the Pekatonica river ;

Of the Legislative Council of the Territory of Wisconsin, praying an appropriation for the improvement of the Mississippi, Wisconsin, and Platte rivers ;

Of the Legislative Council of the Territory of Wisconsin, praying a donation of land for the improvement of the Fox and Rock rivers ;

Of the Legislative Council of the Territory of Wisconsin, setting forth the claim of the Territory of Wisconsin to jurisdiction of all the country north of a line drawn due west from the southern extreme of lake Michigan, and praying the passage of a law establishing the said line as the southern boundary of said Territory.

Ordered, That the said memorials be referred to the Committee on the Territories.

Of the Legislative Council of the Territory of Wisconsin, praying the extinguishment of the title of the Menomomie Indians to lands within said Territory ; which memorial was referred to the Committee on Indian Affairs.

Of the Legislative Council of the Territory of Wisconsin, praying the passage of an act authorizing certain citizens of Wisconsin, miners, to enter mineral lands, in the Wisconsin land district, at one dollar and twenty-five cents per acre ;

Of the Legislative Council of Wisconsin, praying that pre-emption may be granted to settlers on the line of the Milwaukee and Rock-river canal ;

Of the Legislative Council of Wisconsin, praying a confirmation of the titles to lots numbers one, two, and three, in section thirty-two, township seven, range twenty-two, in the county of Milwaukee, in said Territory ;

Of Alexander J. Irwin, of Depere, in the county of Brown, in Wisconsin Territory, praying a confirmation of his title to lot number eighteen, situated at Green Bay.

Ordered, That the said memorials be referred to the Committee on the Public Lands.

Of inhabitants of the village of Southport, in the Territory of Wisconsin, praying an appropriation for a harbor at Southport ;

Of inhabitants of the State of New York, praying an appropriation for a harbor at Racine, in the Territory of Wisconsin ;

Of inhabitants of Rock county, in the Territory of Wisconsin, praying an appropriation for a harbor at Racine.

Ordered, That said petitions be referred to the Committee on Commerce.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have concurred in the resolution sent from this House to authorize the joint committee on the Smithsonian bequest to employ a clerk, and to cause to be printed such papers as the committee may deem necessary. The Senate have been notified that the President of the United States did, on the 25th of January instant, approve and sign an enrolled bill (No. 89) entitled "An act to regulate the transportation of the mail upon railroads." And then he withdrew.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting a communication from the Commissioner of the General Land Office, containing information called for by the House on the 14th of January instant, connected with the issue of scrip on Virginia military land warrants; which letter was ordered to lie on the table.

The Speaker laid before the House a report from the Secretary of the Treasury, made in obedience to the order of the House of the 11th of January instant, calling for an account of defalcations by receivers and collectors or other depositories of public money, since the 1st of October, 1837; and the amount that has been paid or that remains unpaid from defaulters, as set forth in the report of the 17th of January, 1838; as also the correspondence touching defalcations of receivers and collectors since the Department furnished document No. 297 at the last session of Congress.

Ordered, That said report do lie on the table.

And then, at half-past four o'clock, the House adjourned until to-morrow at twelve o'clock meridian.

TUESDAY, JANUARY 29, 1839.

A message, in writing, was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary; which he delivered in at the Speaker's table.

Mr. Van Buren, also, notified the House that the President of the United States did, on the 25th January instant, approve and sign an enrolled bill (No. 961) entitled "An act for the relief of Bradbury T. Jipson."

On motion of Mr. Fletcher, of Massachusetts,

The House proceeded to the consideration of the bill No. 396 for the relief of Winslow Lewis; when it was

Ordered, that said bill be engrossed, and read a third time to-day.

The said bill was engrossed, and was read the third time accordingly; and on the question, Shall it pass?

It passed in the affirmative.

Mr. Briggs submitted the following resolution, to wit:

Resolved, That the Postmaster General be directed to communicate to this House, on the earliest convenient day of the next session, the distance of mail routes established by law in the whole United States, and the distance in each State and Territory; the number of miles the mails may have been transported in the United States, and in each of said States and Territories, during the current year; the average cost per mile, and the aggregate cost in the same; the amount received for postages in each State

and Territory, and the whole amount paid to postmasters for their services during the same period :

That he also be directed to report the whole number of letters carried in the mail during said period, charged with postage, designating the number under each denomination of postage ; the amount of postage on each class ; the amount charged on newspapers, pamphlets, and periodicals, and the number of free letters carried during said period :

That said Postmaster General be further directed to state what, in his opinion, would be the effect upon the revenues of the Department of establishing the following tariff of postages on letters :

On letters carried 80 miles and under, 5 cents ;

Over 80, and not exceeding 200 miles, 10 cents ;

Over 200, and not exceeding 400 miles, 15 cents ;

Over 400 miles, 20 cents ;

and to state what other tariff, fixing the rates in Federal money, and having in view the greatest reduction consistent with the necessary means of the Department, if any would, in his opinion, be more just than the above :

That he also state what alterations, if any, may be made in the present rates of postages on newspapers, pamphlets, and periodicals, so as to promote the circulation of information, without detriment to the revenue of the Department :

That he report a plan for putting up regulating boxes in post offices in large towns :

And that he also be directed to submit a plan for regulating the transmission of letters between this and foreign countries.

The rule which requires this resolution to lie on the table one day being dispensed with, the said resolution was considered and agreed to.

A message from the Senate by Mr. Dickins, their Secretary :

Mr. Speaker: The Senate have passed the bill of this House (No. 491) entitled "An act to reorganize the district courts of the United States in the State of Alabama." And then he withdrew.

Mr. Cambreleng, from the Committee of Ways and Means, reported a bill (No. 1090) making appropriations for preventing and suppressing Indian hostilities for the year 1839 ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, to which was referred the bill from the Senate (No. 113) entitled "An act supplementary to the act entitled 'An act to establish branches of the Mint,' approved March 3, 1835," reported the same with an amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, reported a bill (No. 1091) to repeal the proviso to the 2d section of an act approved the 3d of March, 1837, which authorized the Secretary of the Treasury to compromise the claims of the United States against certain banks ; which bill was read the first and second time, and ordered to be engrossed and read a third time to-morrow.

Mr. Everett, from the Committee on Indian Affairs, reported a bill (No. 1092) to provide for the location and temporary support of the Seminole Indians removed from Florida ; which bill was read the first and second

time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, reported a motion to correct an error in the report of that committee (see printed report of this session, No. 218) submitted to the House on the 24th of January instant, on the state of the Treasury, and the expenditures of Government, by striking from the 17th printed page thereof the latter clause of a note appended to a statement exhibiting the probable value to the United States of lands ceded by the Cherokee Indians; which latter clause is in the words following, viz: "This last sum (\$1,147,000) was reported by the two chairmen of the two Indian Committees, (Messrs. White and Bell,) though the latter thought it was not enough, and, in his individual capacity, moved an addition of \$2,000,000, which was not agreed to; nor was the proposition of Mr. Everett to give them upwards of \$5,000,000 in addition."

Mr. Biddle moved to recommit the motion to correct, with the report itself, to the Committee of Ways and Means, with instruction to correct any errors which may exist in the said report.

And, after debate, the hour elapsed; and the House, on motion of Mr. Cambreleng, proceeded to the orders of the day.

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly sundry bills making appropriations for the service of the year 1839, and, finding itself without a quorum, had risen, and directed him to report that fact to the House.

A motion was made by Mr. William Cost Johnson that there be a call of the House; when,

At three o'clock and twenty-five minutes, a motion was made by Mr. Hunter, of Ohio, that the House do adjourn; which was decided in the negative.

The question was then put, on the motion for a call of the House;

And passed in the negative.

And then, at three and a half o'clock, the House adjourned until tomorrow, twelve o'clock meridian.

WEDNESDAY, JANUARY 30, 1839.

The Speaker laid before the House the following communication, viz:

HOUSE OF REPRESENTATIVES,

Washington, January 30, 1839.

DEAR SIR: I have, this day, forwarded to the Governor of Pennsylvania my resignation as one of the Representatives from that State in the present Congress of the United States; which I respectfully request you to communicate to the House.

I have the honor to remain, with great respect, your obedient servant,

EDWARD B. HUBLEY.

To the Hon. JAMES K. POLK,

Speaker of the House of Representatives.

The said communication was read, and laid on the table.

On motion of Mr. Haynes, the rules in relation to morning business being dispensed with,

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. John Quincy Adams reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the message from the President of the United States at the commencement of the session, and had come to no further resolution thereon.

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly sundry bills, to wit:

No. 893. A bill making appropriations for the payment of the revolutionary and other pensioners of the United States for the year 1839.

No. 892. A bill making an appropriation for the protection of the Northern frontier of the United States.

No. 895. A bill making appropriations for the current and contingent expenses of the Indian department, and fulfilling treaty stipulations with the various Indian tribes for the year 1839.

No. 896. A bill making appropriations for the naval service for the year 1839.

No. 1092. A bill to provide for the location and temporary support of the Seminole Indians removed from Florida.

No. 897. A bill making appropriations for the support of the army for the year 1839.

That he was directed to report to the House bills Nos. 893 and 1092, without amendment; and bills Nos. 892, 895, and 896, with amendments; and that on bill No. 897 the committee had come to no resolution.

It was then

Ordered, That bills Nos. 893 and 1092 be engrossed, and severally read a third time to-morrow.

The amendments reported to bills Nos. 892 and 896 were read, and severally concurred in by the House; and it was

Ordered, That the said bills be engrossed, and severally read a third time to-morrow.

The amendments reported to bill No. 895 were read, and the first amendment was concurred in, and that part of the bill proposed to be stricken out by the second amendment was then amended; when the second amendment of the Committee of the Whole was disagreed to.

The bill was then ordered to be engrossed, and read a third time to-morrow.

Engrossed bills, of the following titles, viz:

No. 924. An act giving the assent of Congress to an act of the General Assembly of Virginia entitled "An act to amend an act incorporating the Falmouth and Alexandria Railroad Company," which passed the 2d day of February, 1836;

No. 1034. An act to repeal the second section of an act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office," approved July 7, 1838; were severally read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bills.

Mr. Sherrod Williams presented a petition of citizens of the county of Laurel, in the State of Kentucky, praying that the compensation of the postmaster at Loudon, in said county, may be increased; which petition was referred to the Committee on the Post Office and Post Roads.

The message received from the President of the United States, yesterday, was read, and is as follows:

To the House of Representatives of the United States:

I transmit, herewith, a communication received from the Secretary of the Treasury, on the subject of the balances reported in the books of the Treasury against collecting and disbursing officers of the Government; to which I beg leave to invite the early attention of Congress.

M. VAN BUREN.

JANUARY 28, 1839.

Ordered, That said message do lie on the table.

The Speaker laid before the House a letter from the Secretary of War, transmitting reports from the Commissioner of Indian Affairs, the Quartermaster General, and the Commissary General of Subsistence, containing information called for by the House of Representatives on the 14th instant, in relation to a correspondence with General Sanford, and in relation to supplies purchased for Cherokee Indians during the last year; which letter and reports were laid on the table.

The Speaker laid before the House a letter from the Secretary of State, transmitting the original papers called for by the House on the 28th instant, in relation to the survey of the boundary between Missouri and Iowa; and requesting that the papers may be returned to the Department of State after they shall have been printed.

Ordered, That the said letter and papers be referred to the Committee on the Territories.

And then, at half-past four o'clock, the House adjourned until to-morrow, twelve o'clock meridian.

THURSDAY, JANUARY 31, 1839.



Mr. Everett, from the Committee on Indian Affairs, reported a joint resolution (No. 44) relating to the awards made by commissioners under the Choctaw treaty; which resolution was read the first and second time, and ordered to be engrossed, and read a third time to-morrow.

Mr. Lincoln submitted to the House a communication from the Postmaster General to the Committee on Public Buildings and Grounds, setting forth the danger to which the books and papers of the Post Office Department are exposed by reason of the combustible nature of the buildings now occupied by the said Department, and suggesting the necessity of providing permanent fire-proof buildings for the use of the Department; which communication is accompanied by estimates of the cost of suitable buildings; which documents were laid on the table.

A motion was made by Mr. Kennedy that the rules in relation to the order of business be suspended, and that the House do proceed to the consideration of the resolution moved by him on the 23d of January in-

stant, calling on the Navy Department for information touching the purchase of certain naval stores and supplies.

And on the question, Shall the rule be suspended?

There appeared, { Yeas, 77,
 { Nays, 74.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Ayer
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
John Chambers
Richard Cheatham
William K. Clowney
Thomas Corwin
Robert B. Cranston
John W. Crockett
Edward Darlington
Edward Davies
Edmund Deberry
George H. Dunn
George Evans

Mr. Horace Everett
John Ewing
Richard Fletcher
Joshua R. Giddings
Patrick G. Goode
William Graham
William J. Graves
George Grennell, jr.
William Halsted
Richard Hawes
Thomas Henry
William Herod
John P. Kennedy
Levi Lincoln
Francis Mallory
James M. Mason
Samson Mason
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Charles F. Mercer
Charles F. Mitchell
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes

Mr. Charles Ogle
James A. Pearce
David Potts, jr.
Harvey Putnam
James Rariden
John Reed
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Augustine H. Shappard
Mark H. Sibley
William Slade
William Stone
Charles C. Stratton
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
John White
Lewis Williams
Sherrod Williams
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews
Linn Banks
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
James W. Bouldin
Isaac H. Bronson
Andrew Buchanan
Zadok Casey
John Chaney
Reuben Chapman
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Samuel Cushman
Thomas Davee
James Farrington
Jacob Fry, jr.
James Garland
Elisha Haley
Robert H. Hammond
Albert G. Harrison

Mr. Charles E. Haynes
Orrin Holt
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Lealbetter
Henry Logan
Arphaxad Loomis
Francis S. Lyon
James J. McKay
Robert M. Clellan
Abraham McClellan
Charles McClure
John Miller
William Montgomery
William S. Morgan
John L. Murray
William H. Noble
William Parmenter
Virgil D. Parris
Lemuel Paynter

Mr. David Petrikian
Lancelot Phelps
John H. Prentiss
Luther Reily
R. Barnwell Rhett
John P. Richardson
Francis E. Rives
Daniel Sheffer
Ebenezer J. Shields
Matthias Shepler
Adam W. Snyder
James B. Spencer
Archibald Stuart
William Taylor
Obadiah Titus
George W. Towns
Hopkins L. Turney
Henry Vail
Joseph Weeks
Thomas T. Whitlesey
Jared W. Williams
Christopher H. Williams
John T. H. Worthington
Archibald Yell

Two-thirds not voting in the affirmative, the motion was lost.

A motion was made by Mr. Chambers that the rules in relation to the

order of business be suspended, and that the House do proceed to the consideration of the resolution moved by Mr. Naylor on the 28th of January instant, calling on the Secretary of the Navy for copies of charges preferred by Passed Midshipman Barton against Captain Jesse D. Elliott, and the reasons why Captain Elliott has not been tried on said charges.

And on the question, Shall the rules be suspended?

There appeared, { Yeas, 91,
 { Nays, 66.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
John T. Andrews
J. Banker Aycrigg
John Bell
Richard Biddle
William Key Bond
George N. Briggs
Isaac H. Bronson
Andrew Buchanan
William B. Calhoun
John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
Thomas Corwin
Robert B. Cranston
John W. Crockett
Thomas Davee
Edward Davies
Edmund Deberry
George H. Dunn
George Evans
Horace Everett
John Ewing

Mr. Richard Fletcher
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
William J. Graves
George Grennell, jr.
William Halsted
Richard Hawes
Thomas Henry
William Herod
Robert M. T. Hunter
Henry Johnson
John P. Keanedy
Francis S. Lyon
Richard P. Marvin
Samson Mason
Abram P. Maury
John P. B. Maxwell
Thomas M. T. McKennan
Charles F. Mercer
John J. Milligan
Mathias Morris
Calvary Morris
John L. Murray
Charles Naylor
Joseph C. Noyes
Charles Ogle
William Parmenter
Lemuel Paynter

Mr. John Pope
David Potts, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
R. Barnwell Rhett
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Samuel T. Sawyer
Augustine H. Shepperd
Charles Shepard
Mark H. Sibley
William Stale
Adam W. Snyder
Archibald Stuart
William Stone
Charles C. Stratton
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
Obadiah Titus
Henry Vail
John White
Lewis Williams
Sherrod Williams
Thomas J. Word.

Those who voted in the negative are—

Mr. Hugh J. Anderson
Linn Banks
Cyrus Beers
Andrew Beirne
Bennet Bicknell
James W. Bouldin
John Campbell
Zadok Casey
John Chaney
Reuben Chapman
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Samuel Cushman
John I. De Graff
George C. Dromgoole
James Farrington
Jacob Fry, jr.

Mr. James Garland
Abram P. Grant
Hiram Gray
Elisha Haley
Robert H. Hammond
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Henry Logan
Arphaxed Loomis

Mr. Joshua L. Martin
James J. McKay
Abraham McClellan
Charles McClure
John Miller
William Montgomery
William S. Morgan
William H. Noble
Lancelot Phelps
William W. Potter
Zadock Pratt
John H. Prentiss
Luther Reily
John P. Richardson
Francis E. Rives
Ebenezer J. Shields
Mathias Shepler
James B. Spencer
Henry Swearingen

Mr. William Taylor
Hopkins L. Turney
Abraham Vanderveer

Mr. Joseph Weeks
Thomas T. Whittlesey
Jared W. Williams

Mr. Christopher H. Williams
John T. H. Worthington
Archibald Yell.

Two-thirds not voting in the affirmative, the question was lost.

On motion of Mr. Davies, of Pennsylvania,

Ordered, That the Committee on Revolutionary Claims be discharged from the consideration of the case of Rachael Fox; and that it be referred to the Committee on Revolutionary Pensions.

Mr. Graves moved that the rules in relation to the order of business be suspended, for the purpose of enabling him to move the following resolution, viz :

Resolved, That the Secretary of the Treasury be directed to report to this House whether Charles J. Ingersoll, late district attorney of Philadelphia, has paid all or any portion of \$76,491, for which he was reported a defaulter by the said Secretary on the 17th of January, 1838; and also to furnish this House with all the accounts and demands of said Ingersoll against the Government during the continuance, or since the expiration, of the time he was in office.

And on the question, Shall the rule be suspended ?

There appeared, {	Yeas,	97.
	Nays,	73.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
J. Banker Ayerigg
Linn Banks
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
Andrew Buchanan
William B. Calhoun
John Calhoun
William B. Carter
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
George W. Crabb
Robert Craig
Robert B. Cranston
John W. Crockett
Edward Davies
Edmund Deberry
George C. Dromgoole
George H. Dunn
George Evans
Horace Everett
John Ewing
James Garland
Joshua K. Giddings
Patrick G. Goode

Mr. James Graham
William Graham
Seaton Grantland
William J. Graves
George Grennell, jr.
William Halsted
Richard Hawes
Micajah T. Hawkins
Thomas Henry
William Herod
Robert M. T. Hunter
Samuel Ingham
William Cost Johnson
John P. Kennedy
Dixon H. Lewis
Levi Lincoln
Francis S. Lyon
Richard P. Marvin
James M. Mason
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
William Montgomery
Mathias Morris
Calvary Morris
Charles Naylor
Joseph C. Noyes

Mr. Charles Ogle
Luther C. Peck
John Pope
David Potts, jr.
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Samuel T. Sawyer
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
Adam W. Snyder
Archibald Stuart
William Stone
Charles C. Stratton
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillingham
John White
Lewis Williams
Sherrod Williams
Christopher H. Williams
Thomas I. Word
Thomas Jones Yorks.

Those who voted in the negative are—

Mr. Hugh J. Anderson
John T. Andrews

Mr. Cyrus Beers
Andrew Beirne

Mr. Bennet Bicknell
Isaac H. Bronson

Mr. C. C. Cambreleng
John Campbell
Zadok Casey
John Chaney
Jesse F. Cleveland
Walter Coles
Henry W. Connor
Samuel Cushman
Thomas Davee
John I. De Graff
James Farrington
Jacob Fry, jr.
Abraham P. Grant
Hiram Gray
Elisha Haley
Robert H. Hammond
Thomas L. Hanier
Albert G. Harrison
Charles E. Haynes
Orrin Holt
William H. Hunter
Thomas B. Jackson
Joseph Johnson

Mr. Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Henry Logan
Joshua L. Martin
James J. McKay
Abraham McClellan
Charles McClure
John Miller
Ely Moore
William S. Morgan
John L. Murray
William H. Noble
John Palmer
William Parmenter
Virgil D. Parris
Lemuel Paynter
David Petrikin
Lancelot Phelps
William W. Potter

Mr. Zadock Pratt
John H. Prentiss
Luther Reily
John P. Richardson
Francis E. Rives
Daniel Sheffer
Matthias Shepler
James B. Spencer
Henry Swearingen
William Taylor
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
Taylor Webster
Joseph Weeks
Thomas T. Whittlesey
Jared W. Williams
John T. H. Worthington
Archibald Yell.

Two-thirds not voting in the affirmative, the question was lost.

Mr. Ewing presented a resolution of the General Assembly of the State of Indiana, requesting the representation of that State in the Congress of the United States to procure the passage of a law providing a grant of land to aid in the construction of a railroad from New Albany to a point on the Wabash river opposite Mount Carmel, in the State of Illinois; which resolution was referred to the Committee on Roads and Canals.

Mr. Herod presented a resolution of similar import; which was laid on the table.

Mr. Kennedy presented a resolution of the General Assembly of the State of Maryland, requesting the delegation of that State in Congress to draw the early attention of Congress to the propriety of making provision for deepening the harbor of Havre-de-Grace, and the removal of one or more sand-bars that obstruct the free navigation into said harbor; which resolution was referred to the Committee on Roads and Canals.

A motion was made by Mr. Rariden that the rules in relation to the order of business be suspended, and that the House do proceed to the consideration of the resolution moved by him on the 28th instant, calling on the War Department for information in relation to disbursing and other officers of the Indian department;

And on the question, Shall the rules be suspended?

It passed in the negative, { Yeas, 74,
 { Nays, 80.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun

Mr. John Calhoun
William B. Carter
John Chambers
Richard Cheatham
John C. Clark
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Davies

Mr. George H. Dunn
George Evans
Horace Everett
John Ewing
Richard Fletcher
Patrick G. Goode
James Graham
William Graham
William J. Graves
George Grannell, jr.

Mr. Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Ogden Hoffman
Robert M. T. Hunter
William Coast Johnson
Francis Mallory
Samson Mason
Abram P. Maury
John P. B. Maxwell
Thos. M. T. McKennan
Richard H. Menefee
Charles F. Mercer

Mr. John J. Milligan
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
James A. Pearce
John Pope
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey

Mr. David Russell
Leverett Seltonstall
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Stade
William Stone
John Taliaferro
Joseph L. Tillingham
John White
Lewis Williams
Sherrod Williams
Christopher H. Williams
Thomas J. Word.

Those who voted in the negative are—

Mr. John T. Andrews
Linn Bauks
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Isaac H. Bronson
C. C. Cambreleng
John Campbell
Zadok Casey
John Chaney
Jesse F. Cleveland
William K. Clowney
Walter Coles
Henry W. Connor
Robert Craig
Samuel Cushman
Edmund Doherty
John I. De Graff
George C. Dromgoole
John Edwards
Jacob Fry, jr.
Abraham P. Grant
Hiram Gray
Elisha Haley
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins

Mr. Charles E. Haynes
Hopkins Holsey
Orrin Holt
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
James M. Mason
Joshua L. Martin
James J. McKay
Abraham McClellan
John Miller
William Montgomery
William S. Morgan
William H. Noble
John Palmer
William Parmenter
Virgil D. Parris
Lemuel Paynter
David Petrikin

Mr. Lancelot Phelps
William W. Potter
Zadock Pratt
John H. Prentiss
Luther Reily
John P. Richardson
Francis E. Rives
Samuel T. Sawyer
Daniel Sheffer
Charles Shepard
Matthias Sheplor
Adam W. Snyder
James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
Taylor Webster
Joseph Weeks
Jared W. Williams
Jno. T. H. Worthington
Archibald Yell.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting a statement called for by the House on the 25th instant, showing the dates and amounts of and sureties on the official bonds of the collectors of the customs and naval officers for the ports of Boston, New York, and Philadelphia, respectively; which letter was laid on the table.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting a statement of contracts made during the year 1838, at the Treasury, in relation to light-houses; and a statement of contracts made during the year 1837, at the Treasury, in relation to marine hospitals and for rations for revenue-cutters; which letter and statements were laid on the table.

Engrossed bills of the following titles, viz :

No. 893. An act making appropriations for the payment of the revolutionary and other pensioners of the United States for the year 1839;

No. 1092. An act to provide for the location and temporary support of the Seminole Indians removed from Florida;

No. 895. An act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes for the year 1839;

No. 896. An act making appropriations for the naval service for the year 1839;

were severally read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bills.

An engrossed bill (No. 892) entitled "An act making an appropriation for the protection of the Northern frontier of the United States," was read the third time; and the further consideration thereof was postponed until to-morrow.

A motion was made that the House do again resolve itself into the Committee of the Whole House on the state of the Union, on bills making appropriations for the public service for the year 1839;

And the question being put,

In passed in the affirmative, { Yeas, 91,
Nays, 44.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
Linn Banks
Andrew Beirne
Richard Biddle
Samuel Birdsall
William Key Bond
Isaac H. Bronson
William B. Calhoun
C. C. Cambreleng
John Campbell
Zadok Casey
Reuben Chapman
William K. Clowney
Walter Coles
Henry W. Connor
Samuel Cushman
Edward Darlington
George H. Dunn
John Edwards
George Evans
Horace Everett
James Farrington
Richard Fletcher
Jacob Fry, jr.
Albert Gallup
Abraham P. Grant
William Halsted
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins

Mr. Thomas Henry
Hopkins Holsey
Orrin Holt
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Daniel Jenifer
William Cost Johnson
Nathaniel Jones
Gouverneur Kemble
John Klingensmith, jr.
Hugh S. Legare
Dixon H. Lewis
Levi Lincoln
Arphaxed Loomis
Samson Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Charles F. Mercer
William Montgomery
Samuel W. Morris
John L. Murray
Joseph C. Noyes
John Palmer
Amasa J. Parker
William Parmenter
Lemuel Paynter
James A. Pearce

Mr. Luther C. Peck
William W. Potter
Zadock Pratt
John H. Prentiss
Joseph F. Randolph
John Reed
Abraham Rencher
John P. Richardson
Joseph Ridgway
Francis E. Rives
John Robertson
David Russell
Leverett Saltonstall
Samuel T. Sawyer
Augustine H. Shepperd
Charles Shepard
Mark H. Sibley
Adam W. Snyder
Archibald Stuart
Charles C. Stratton
John Taliaferro
Isaac Toucey
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
Taylor Webster
Thomas T. Whittlesey
Lewis Williams
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. James Alexander, jr.
J. Banker Aycrigg
John Calhoun
William B. Campbell
William B. Carter
John Chambers
Richard Cheatham

Mr. Timothy Childs
George W. Crabbs
Robert B. Cranston
John W. Crockett
Edward Davies
John Ewing
Patrick G. Goode

Mr. William Graham
William J. Graves
Alexander Harper
Richard Hawes
William Herod
Francis S. Lyon
Francis Mallory

Mr. Abram P. Maury
 John P. B. Maxwell
 Richard H. Menefee
 Charles F. Mitchell
 Calvary Morris
 Charles Naylor
 Charles Ogle
 David Potts, jr.

Mr. Harvey Putnam
 James Rariden
 Ebenezer J. Shields
 William Slade
 Edward Stanly
 William Stone
 Waddy Thompson, jr.
 Joseph L. Tillinghast

Mr. George W. Toland
 Joseph R. Underwood
 Albert S. White
 John White
 Sherrod Williams
 Christopher H. Williams
 Thomas J. Word.

The House then resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly a bill making appropriations for the support of the army for the year 1839, and had come to no resolution thereon.

A message was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary; which was read, and is as follows:

To the Senate and House of Representatives :

I herewith transmit a report from the Secretary of the Treasury on the subject of commissions claimed by agents or officers employed by the General Government.

The propriety of new legislation, regulating the whole matter by express laws, seems very apparent, and is urgently recommended to the early attention of Congress.

M. VAN BUREN.

WASHINGTON, January 30, 1839.

Ordered, That the said communication be referred to the Committee of Ways and Means.

The Speaker laid before the House a letter from the Secretary of the Navy, transmitting a statement of the appropriations for the naval service for the year 1838, showing the amount appropriated under each head, the amount expended, and the balances remaining in the Treasury on the 31st December, 1838; which letter and statement were laid on the table.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed bills and a resolution of the following titles, viz :

No. 61. An act for the benefit of the Alabama, Florida, and Georgia railroad company;

No. 224. An act to authorize the Secretary of the Treasury to extend the time for the payment of the duties upon certain bonds given by the Alabama, Florida, and Georgia railroad company for the duties upon a quantity of railroad iron imported by the said company, and for the laying of the said iron upon railroads;

No. 3. A joint resolution directing the manner in which certain laws of the District of Columbia shall be executed; in which bills I am directed to ask the concurrence of this House. And then he withdrew.

And then, at half-past five o'clock in the afternoon, the House adjourned until to-morrow, at twelve o'clock meridian.

FRIDAY, FEBRUARY 1, 1839.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined an enrolled bill (No. 491) entitled "An act to reorganize the district courts of the United States in the State of Alabama," and found the same to be truly enrolled; when

The Speaker signed the said bill.

The House, by consent, proceeded to the consideration of the resolution moved by Mr. Naylor on the 28th January instant; and the same being modified, was agreed to in the words following:

Resolved, That the Secretary of the Navy be directed to furnish this House with copies of the charges preferred by Charles C. Barton, a passed midshipman of the United States navy, against Captain Jesse D. Elliott, whilst in command of the Mediterranean squadron; together with *all communications* in relation to said charges on file in the Navy Department; and to communicate the reasons, if any, why the said Elliott has not been ordered to be tried upon said charges.

The rules being suspended for the purpose of receiving the same.

Mr. Petrikin moved the following resolution. (No. 45:)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State of the United States be authorized and directed to deliver to the Secretary of the Senate forty copies, and to the Clerk of the House of Representatives three hundred and sixty-eight copies (in addition to the number which he is now authorized to deliver to those officers) of the first volume of the fourth series, now published, of the "Documentary History of the American Revolution," published by Messrs. Clarke & Force; and that he deliver a like number of copies to each of those officers, of every succeeding volume of that work as soon as may be after the same shall have been delivered to him by the publishers.

And be it further resolved, That the Secretary of the Senate and Clerk of the House of Representatives be and they are hereby directed, of the copies so furnished, to distribute one to each member of the Senate and House of Representatives, and to each Territorial delegate of the 23d, 24th, and 25th Congresses, who are not entitled to receive the same under some former act or resolution of Congress.

The said resolution was read the first and second time; when

A motion was made by Mr. Cambreleng to amend the same by striking out these words: "and that he deliver a like number of copies to each of those officers, of every succeeding volume of that work, as soon as may be after the same shall have been delivered to him by the publishers."

A motion was then made by Mr. Thomas, that the said resolution be referred to a select committee; when

A motion was made by Mr. Sherrod Williams to amend the motion to refer to a select committee, by adding the following instructions: "to inquire into the power of Congress to repeal the law under which the work is authorized and contracted to be published; and if, in the opinion of the committee, Congress has the power to repeal the law, to report a bill for that purpose; first making a fair compensation to the undertakers of the work for their loss by the Government not complying with its engagement and contract; and if Congress has *not* the power to repeal the law, to direct that the *work* shall be otherwise disposed of, instead of giving the same to members of Congress."

A motion was made by Mr. Loomis to amend the instructions, by stri-

king out these words: "and if Congress has not the power to repeal the law, to direct that the work shall be otherwise disposed of, instead of giving the same to members of Congress."

And, after debate, the previous question was moved by Mr. Petrikin; and being demanded by a majority of members present,

The said previous question was put viz: Shall the main question be now put?

And passed in the negative, { Yeas, 76,
 { Nays, 98.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allon
John W. Allen
Hugh J. Anderson
John T. Andrews
J. Banker Aycrigg
Cyrus Beers
Bennet Bicknell
Nathaniel B. Borden
John C. Brodhead
Isaac H. Bronson
John Calhoun
John Chambers
John C. Clark
Thomas Corwin
Robert B. Cranston
Edward Darlington
Thomas Daves
Edward Davies
George Evans
Rice Garland
Joshua R. Giddings
William Graham
Seaton Gran land
Abraham P. Grant

Mr. Hiram Gray
George Grennell, jr.
Hiland Hall
William Halsted
Richard Hawes
Jabez Jackson
Daniel Jenifer
Henry Johnson
William Cost Johnson
John P. Kennedy
John Klingensmith, jr.
Henry Logan
Richard P. Marvin
Samson Mason
Joshua L. Martin
William L. May
John P. B. Maxwell
Robert McClellan
Charles F. Mercer
Charles F. Mitchell
William S. Morgan
Samuel W. Morris
Calvary Morris
John L. Murray
Joseph C. Noyes

Mr. Lemuel Paynter
Luther C. Peck
David Petrikin
Zadock Pratt
John H. Prentiss
Sergeant S. Prentiss
Harvey Putnam
James Rariden
John Reed
Joseph Ridgway
Edward Robinson
David Russell
Leverett Saltonstall
Charles Shepard
Matthias Shepler
Adam W. Snyder
William W. Southgate
Archibald Stuart
William Stone
Joseph L. Tillinghast
George W. Toland
Henry Vail
Albert S. White
John White
Thomas J. Word.

Those who voted in the negative are—

Mr. Charles G. Atherton
Linn Banks
John Bell
Richard Biddle
Samuel Birdsall
William Key Bond
William B. Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
Reuben Chapman
Richard Cheatham
Timothy Childs
Jesse F. Cleveland
William K. Clowney
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
John W. Crockett
Samuel Cushman
Edmund Deberry
George H. Dunn

Mr. John Edwards
John Ewing
James Farrington
Jacob Fry, jr.
James Garland
Patrick G. Goode
James Graham
William J. Graves
John K. Griffin
Robert H. Hammond
Albert G. Harrison
Alexander Harper
Charles E. Haynes
Thomas Henry
William Herod
Benjamin C. Howard
William H. Hunter
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Kreim
Gouverneur Kemble
Daniel P. Leadbetter
Dixon H. Lewis
Levi Lincoln

Mr. Francis S. Lyon
James M. Ma-on
Abram P. Maury
James J. McKay
Abraham McClellan
Thomas M. T. McKenna
Richard H. Menefee
John Miller
William Montgomery
Ely Moore
Charles Naylor
William H. Noble
William Parmenter
Virgil D. Parris
Lancelot Phelps
Francis W. Pickens
John Pope
David Potts, jr.
Joseph F. Randolph
Luther Reily
John P. Richardson
Francis E. Rives
John Robertson
Daniel Sheffer
Augustine H. Sheppard

Mr. Ebenezer J. Shields

William Slade
Edward Stanly
Henry Swearingen
John Taliaferro
William Taylor
Francis Thomas
Waddy Thompson, jr.

Mr. Obadiah Titus

Isaac Toucey
George W. Towns
Hopkins L. Turney
Abraham Vanderveer
Taylor Webster
Joseph Weeks
Thomas T. Whittlesey

Mr. Lewis Williams

Sherrod Williams
Christopher H. Williams
Jared W. Williams
John T. H. Worthington
Archibald Yell
Thomas Jones Yorke.

And so the House decided that the main question, viz: Shall the resolution be engrossed and read a third time? be not *now* put; by which decision the further consideration of the resolution was removed from before the House until to-morrow.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have concurred in the amendment of this House to the bill (No. 177) entitled "An act to renew the patent of Thomas Blanchard."

And then he withdrew.

The House resolved itself into a Committee of the Whole House on sundry bills, viz:

No. 437. A bill to provide for the settlement of the claim of Walter Jones;

No. 441. A bill for the relief of the corporation of the First Presbyterian Church of Scotland, in Hanover, now Yorktown, Westchester county, State of New York;

No. 469. A bill to provide for paying three companies of militia in the State of Indiana, called into the service of the United States;

No. 481. A bill for the relief of Roger Jones, adjutant general of the United States army;

No. 534. A bill to purchase the right to use Doctor Boyd Reilly's vapor-bath;

No. 581. A bill for the relief of John Brown & Company;

No. 764. A bill for the relief of Garrét Vleit;

No. 765. A bill for the relief of E. H. Williams, administrator of Hazel W. Crouch;

No. 769. A bill for the relief of Richard Hendley;

No. 772. A bill for the relief of the legal representatives of George Yates, deceased;

No. 773. A bill for the relief of the legal representatives of Joseph Savage, deceased;

No. 774. A bill for the relief of the representatives of Abner Prior;

No. 775. A bill for the relief of James Maxwell;

No. 789. A bill for the relief of Samuel Massey and Thomas James;

No. 793. A bill for the relief of A. J. Picket and George W. Gayle;

No. 796. A bill for the relief of James Cox;

No. 803. A bill for the relief of Irad Kelly and Datus Kelly;

No. 806. A bill for the relief of Captain Thomas Ap Catesby Jones;

No. 807. A bill for the relief of John Jones and Charles Sowder, and Robinson, Carr, & Company;

No. 810. A bill for the relief of Dunscomb Bradford;

No. 811. A bill for the relief of the legal representatives of Doctor James H. Cheears;

No. 817. A bill for the relief of Robert M. Roberts;

No. 824. A bill for the relief of the legal representatives of Thomas Rutledge;

No. 825. A bill for the relief of Isaac Lilley;

No. 833. A bill for the relief of George Hommell;

No. 837. A bill for the relief of William Traverse;

No. 838. A bill for the relief of Andrew Rembert;

No. 840. A bill for the relief of the legal representatives of Nathan Smith;

No. 842. A bill for the relief of Maria Hornbeck;

No. 843. A bill for the relief of Thompson Hutchinson;

No. 844. A bill for the relief of Isaac Conly;

No. 847. A bill for the relief of the owners, officers, and crew of the armed brig Warrior, or their representatives;

No. 848. A bill for the relief of Samuel T. Anderson;

No. 849. A bill for the relief of Richard Booker;

No. 850. A bill for the relief of Josiah F. Caldwell;

No. 851. A bill for the relief of Jamison & Williamson;

No. 852. A bill for the relief of Cornelius Taylor;

No. 853. A bill for the relief of James L. Stokes, and for other purposes;

No. 856. A bill for the relief of the widow or legal representatives of John Tilden;

No. 857. A bill for the relief of Jesse Seymour or his legal representatives, and in alteration of an act entitled "An act respecting the late officers and crew of the sloop of war Wasp," approved the 20th of April, 1916;

No. 858. A bill for the relief of Charles Rockwell;

No. 859. A bill for the relief of the widow of Thomas Kibby;

No. 860. A bill for the relief of John G. Mozart;

No. 866. A bill for the relief of the representatives of Ann Levachier de Van Brun;

No. 870. A bill for the relief of Sarah Windham;

No. 871. A bill for the relief of George Cassidy;

No. 872. A bill for the benefit of the heirs of Colonel Daniel Boone, deceased;

No. 877. A bill for the relief of Joseph Hernandez;

No. 26. Resolution for the benefit of Edward Beatty;

No. 878. A bill for the relief of Woodburn Potter;

No. 879. A bill for the relief of John L. McCarty;

No. 880. A bill for the relief of James Tongue and the administrator of William Hodson and Scrivener;

No. 881. A bill for the relief of the assignees of Jacob Clements, deceased;

No. 882. A bill for the relief of Jacob Galencia;

No. 884. A bill for the relief of the heirs of Peyton Randolph, deceased.

No. 886. A bill for the benefit of the Choctaw Indians;

No. 889. A bill for the relief of Susan Gratiot, administrator of Charles Gratiot;

No. 899. A bill for the relief of Griffith Coombe and John P. Ingle, trustees of the brick Capitol;

No. 900. A bill for the relief of Thomas Fillebrown;

No. 901. A bill for the relief of the legal representatives of John Barnes, deceased;

No. 902. A bill for the relief of the legal representatives of Nathan Lamme

No. 903. A bill for the relief of the legal representatives of Captain Tarpley White;

No. 904. A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of Edward Wade, deceased;

No. 905. A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of William Gregory, deceased;

No. 906. A bill to authorize the payment of the seven years' half pay due on account of the services of James Conway, deceased;

No. 907. A bill for the relief of the legal representatives of James Barton, deceased;

No. 908. A bill for the relief of the legal representatives of Captain Thomas Cooke;

No. 909. A bill for the relief of Roger Stayner, late a captain in the army of the Revolution;

and, after some time spent in Committee of the Whole House, the Speaker resumed the chair, and Mr. Lincoln reported as follows:

That, on Nos. 441, 772, 773, 774, 806, 824, 840, 848, 900, 901, 902, 903, 904, 905, 906, 907, 908, and 909, the committee had made progress, and directed him to ask leave to sit again thereon;

That Nos. 437, 469, 581, 764, 765, 769, 789, 793, 796, 803, 807, 810, 811, 817, 825, 833, 837, 838, 842, 843, 844, 847, 849, 850, 851, 852, 853, 856, 857, 858, 859, 860, 866, 870, 871, 872, 877, 878, 879, 880, 881, 882, 884, 889, 899, 886, and resolution No. 26, he was directed to report to the House without amendment; and

That Nos. 481, 534, and 775 he was directed to report, with an amendment to each.

The House then proceeded to the consideration of the report of the Committee of the Whole House; when it was

Ordered, That the Committee of the Whole House have leave to sit again on the bills on which progress has been reported;

That the bills reported without amendment, and joint resolution No. 26, be engrossed, and severally read a third time to-morrow.

The amendments reported to Nos. 481, 534, and 775 were read, and severally concurred in by the House; Nos. 481 and 775 were ordered to be engrossed, and read a third time to-morrow; and No. 534, to purchase the right to use Doctor Boyd Reilly's vapor-bath, was postponed until to-morrow.

The House resolved itself into a Committee of the Whole House on sundry bills, viz:

No. 819. A bill to authorize the trustees of the township of Oxford, in Butler county, Ohio, to enter a section of land, for the use of schools, in lieu of section sixteen in said township;

No. 736. A bill for the relief of Hazard Knowles;

No. 888. A bill for the relief of John J. Roane;

No. 911. A bill for the relief of the legal representatives of Colonel Francis Vigo;

No. 912. A bill for the relief of the legal representatives of Colonel William Fontaine;

No. 913. A bill for the relief of the legal representatives of Captain Samuel Jones, deceased ;

No. 914. A bill for the relief of the legal representatives of Lathrop Allen ;

No. 915. A bill for the relief of the legal representatives of Major William Langbourne ;

No. 918. A bill for the relief of the legal representatives of Samuel O. Pettus ;

No. 919. A bill for the relief of the representatives of Major Tarlton Woodson ; (commutation.)

No. 920. A bill for the relief of the legal representatives of Major Tarlton Woodson ; (balance of pay.)

No. 921. A bill for the relief of the legal representatives of Captain James Purvis, deceased ;

No. 922. A bill for the relief of the legal representatives of Captain Charles Taylor, deceased ;

No. 923. A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of Francis Eppes, deceased ;

No. 925. A bill for the relief of Solomon Prewett ;

No. 926. A bill for the relief of John England ;

No. 927. A bill for the relief of Jacob Baugh ;

No. 928. A bill for the relief of Elizabeth Jones ;

No. 929. A bill for the relief of Oliver Peck ;

No. 930. A bill for the relief of Susannah Roe, widow of John Roe ;

No. 931. A bill for the relief of John Davis ;

No. 932. A bill for the relief of Elizabeth Durant ;

No. 933. A bill for the relief of the widow of Captain James Hunter ;

No. 934. A bill for the benefit of Fielding Pratt ;

No. 936. A bill for the relief of the representatives of Nimrod Farrow and Richard Harris ;

No. 937. A bill for the relief of the representatives of John Wilkinson ;

No. 938. A bill for the relief of the heirs and legal representatives of John Grimbail, senior ;

No. 940. A bill to authorize the payment of the seven years' half pay due on account of the services of Thomas Knowlton in the war of the Revolution ;

No. 941. A bill for the relief of the heirs of Jonathan Dye ;

No. 942. A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of David Gould, deceased ;

No. 943. A bill for the relief of Samuel Edgecomb ;

No. 944. A bill for the relief of John Smith ;

No. 945. A bill for the relief of Ichabod Beardsley ;

No. 946. A bill for the relief of Sibil Barnes ;

No. 947. A bill for the relief of Elizabeth French ;

No. 948. A bill granting a pension to William Ford ;

No. 949. A bill for the relief of Samuel Hatton ;

No. 950. A bill restoring the name of John Latham to the pension-roll ;

No. 951. A bill granting a pension to Catharine Allen, widow of Henry Allen ;

No. 952. A bill for the relief of Elijah Blodget ;

No. 953. A bill for the relief of Thomas Collius ;

No. 954. A bill for the relief of Samuel M. Asbury ;

- No. 955. A bill for the relief of James Fleming;
No. 956. A bill for the relief of Robert Whitett;
No. 957. A bill for the relief of Myron Chapin;
No. 958. A bill for the relief of Jared Winslow;
No. 959. A bill for the relief of Nathaniel Davis;
No. 960. A bill for the relief of Isaac Justis;
No. 962. A bill for the relief of Isaiah Parker;
No. 963. A bill for the relief of Levi M. Roberts;
No. 964. A bill for the relief of Isaac Boyd;
No. 965. A bill for the relief of Gideon Sheldon;
No. 966. A bill for the relief of William Smith;
No. 967. A bill for the relief of William Fitzgerald;
No. 968. A bill for the relief of Eunice Saunders, late Eunice Pierson;
No. 969. A bill for the relief of Charles Fitzgerald;
No. 970. A bill granting a pension to Martha Strong;
No. 971. A bill for the relief of Patrick Green;
No. 972. A bill granting a pension to John F. Wiley;
S. No. 7. A bill for the relief of William East;
S. No. 13. A bill for the relief of Elisha Town;
S. No. 14. A bill for the relief of Erastus Fairbanks and Thaddeus Fairbanks;
S. No. 77. A bill to remit or refund to the Philadelphia, Wilmington, and Baltimore Railroad Company the duties upon certain railroad iron;
S. No. 139. A bill for the relief of the corporate authority of the city of Mobile;
No. 34. Resolution directing an allowance to be made to Captain John Downes;
No. 973. A bill for the relief of Frederick Richmond;
No. 977. A bill granting a pension to Leonard Smith;
No. 978. A bill for the relief of Samuel B. Hugo;
No. 979. A bill for the relief of the heirs and legal representatives of Rignald, alias Nick Hillary, deceased;
No. 980. A bill for the relief of the legal representatives of James Broadus, deceased;
S. No. 15. A bill for the relief of Thomas Sumpter;
S. No. 57. A bill to remunerate the captors of the privateer Lydia.
S. No. 56. A bill for the relief of the owners of the British brig Despatch;
S. No. 76. A bill for the relief of Jechonius Pigot and Benjamin Leacraft, sureties of James Manney;
No. 985. A bill for the relief of Lieutenant John McDowell;
No. 986. A bill for the relief of the children of Apollos Cooper;
S. No. 5. A bill for the relief of the heirs of John Brahan, deceased;
No. 988. A bill for the relief of John Lybrook;
No. 989. A bill for the relief of Matthew Wiley;
No. 990. A bill for the relief of Frances Jones, widow of John Jones;
No. 991. A bill for the relief of Susannah Hoagland;
No. 992. A bill for the relief of William A. Cuddeback;
No. 993. A bill granting a pension to Helen Miller;
No. 994. A bill granting a pension to William Andrews;
No. 995. A bill granting a pension to Thruston Cornell;

- No. 996. A bill granting a pension to Stephen Olney;
- No. 997. A bill granting a pension to Harvey Reynolds;
- No. 998. A bill granting a pension to Doctor Sylvester Nash;
- No. 999. A bill granting a pension to Stephen Appleby;
- No. 1000. A bill for the relief of David Rollins;
- No. 1001. A bill for the relief of William Sloan;
- No. 1002. A bill for the relief of John Clarke;
- No. 1003. A bill for the relief of Gilbert Sprague Fish;
- No. 1004. A bill for the relief of Weight Hurlbert;

No. 10. Resolution to allow a per centum on the salary of the clerk and messenger of the Attorney General; and, after some time spent therein, the Speaker resumed the chair, and Mr. McKay reported as follows:

That, on Nos. 736, 888, 911, 912, 913, 914, 915, 918, 919, 921, 922, 923, 937, 940, 941, 942, 979, 980, 985, 986, S. Nos. 139, 15, and resolution No. 34, the committee had made progress, and directed him to ask leave to sit again;

That Nos. 819, 920, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 936, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 977, 978, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, S. Nos. 7, 13, 14, 77, 57, 56, 76, and resolution No. 10, he was directed to report, without amendment; and

That No. 938 and Senate No. 5 he was directed to report, with an amendment to each.

The House proceeded to the consideration of the report from the Committee of the Whole House; when it was

Ordered, That the Committee of the Whole House have leave to sit again on the bills upon which progress has been reported;

That the bills and resolution No. 10, reported without amendment, be engrossed, and read a third time to-morrow;

That the bills from the Senate reported without amendment, be read a third time to-morrow.

The amendment reported from the Committee of the Whole House to bill No. 938 was read, and concurred in; and the bill was ordered to be engrossed, and read a third time to-morrow.

The amendment reported to S. bill No. 5 was read and agreed to: when the said amendment was ordered to be engrossed, and the bill be read a third time to-morrow.

Mr. John Quincy Adams asked and obtained leave to introduce a bill for the relief of Crocker Sampson: and, thereupon,

Mr. Adams introduced a bill (No. 1093) for the relief of Crocker Sampson; which bill was read the first and second time, and committed to a Committee of the Whole House to-day.

The House resolved itself into the Committee of the Whole House on sundry bills, viz:

- No. 1005. A bill for the relief of Eliphalet Spafford;
- No. 1006. A bill granting an increase of pension to Ann Ross;
- No. 1007. A bill granting arrears of pension to Josiah Westlake;
- No. 1008. A bill for the relief of Henry Grady;
- No. 1009. A bill for the relief of the legal representatives of John Addoms;

- No. 1011. A bill for the relief of John Phelan ;
No. 1013. A bill for the relief of Rosaline Prudhomme ;
No. 1014. A bill for the relief of Dennis Tramell ;
No. 1015. A bill granting a pension to David Mellen ;
No. 1017. A bill for the relief of Benjamin F. Wesley ;
No. 1018. A bill for the relief of Chauncey Calhoon ;
No. 1019. A bill for the relief of Teakle Savage, administrator of Bo-
litha Laws ;
No. 1020. A bill for the relief of John McColgan ;
No. 1021. A bill for the relief of William B. Livesay ;
No. 1022. A bill for the relief of Philip Catner ;
No. 1023. A bill for the relief of Isaac Miller ;
No. 1024. A bill for the relief of Peter Samuel Jaccard ;
No. 1025. A bill for the relief of the heirs of Richard Shubrick ;
No. 1026. A bill for the relief of John De Treville ;
No. 1027. A bill for the relief of Thomas A. Burland ;
No. 1035. A bill for the relief of the heirs of James Maglenen, late of
the city of Baltimore, deceased ;
No. 42. A bill from the Senate entitled " An act for the relief of John
Newton ;"
No. 51. A bill from the Senate entitled " An act for the relief of John
B. Valle ;"
No. 1040. A bill granting a pension to William Harper ;
No. 1041. A bill granting a pension to Mary Updegraff ;
No. 1042. A bill granting a pension to Benjamin Price ;
No. 1043. A bill granting a pension to Conrad Widrig ;
No. 1044. A bill for the relief of Barton Hooper ;
No. 1045. A bill for the relief of Charles Risley ;
No. 1046. A bill for the relief of John Keeler ;
No. 16. A bill from the Senate entitled " An act for the relief of Sarah
Angel and other heirs of Benjamin King ;
No. 1047. A bill for the relief of John Howe ;
No. 1048. A bill to authorize the importation, free of duty, of iron ma-
terials for certain iron vessels ;
No. 1049. A bill for the relief of the widow of John March, deceased ;
No. 1050. A bill for the relief of Doctor J. M. Foltz ;
No. 1051. A bill for the relief of the representatives of Joshua Huddy ;
No. 1052. A bill for the relief of Ebenezer A. Lester ;
No. 1053. A bill for the relief of Joseph Jackson ;
No. 1060. A bill granting a pension to Elijah Foochee ;
No. 1064. A bill for the relief of certain officers of the Florida mi-
tia ;
No. 1065. A bill for the relief of Samuel Hoffman ;
No. 1066. A bill for the relief of Robert Milnor and John Thompson ;
No. 1069. A bill for the relief of the executors of Robert McFarland ;
No. 1070. A bill granting a pension to Reuben Murray ;
No. 1073. A bill for the relief of Colonel Robert D. Wainwright ;
No. 1074. A bill for the relief of Charles Benms ;
No. 1075. A bill for the relief of Menzies Gillespie ;
No. 1078. A bill for the relief of the legal representatives of William
ause, deceased ;

No. 1082. A bill granting a pension to Chauncey Rice ;

No. 1083. A bill for the relief of James B. Rice ;

No. 643. A bill to renew the patent right of William Perkinson ;

No. 806. A bill for the relief of Captain Thomas Ap Catesby Jones :

No. 441. A bill for the relief of the corporation of the first Presbyterian Church of Scotland, in Hanover, now Yorktown, in West Chester county, State of New York ;

No. 1093. A bill for the relief of the heirs of Crocker Samson ;

S. No. 15. A bill for the relief of Thomas Sumpter ;

and, after some time spent in Committee of the Whole House, the Speaker resumed the chair, and Mr. Lyon reported as follows :

That, on Nos. 1016, 1019, 1020, 1025, 1026, 1048, 1073, 1078, 643, 441, the committee had made progress, and directed him to ask leave to sit again ;

That Nos. 1005, 1006, 1007, 1008, 1009, 1011, 1013, 1014, 1015, 1017, 1018, 1021, 1022, 1023, 1024, 1027, 1035, 1040, 1041, 1042, 1044, 1045, 1046, 1047, 1049, 1050, 1051, 1052, 1053, 1060, 1064, 1065, 1066, 1069, 1070, 1074, 1075, 1082, 1083, 806, 1093, and S. Nos. 42, 51, 16, 15, he was directed to report without amendment ;

That No. 1043 he was directed to report with an amendment.

The House then proceeded to the consideration of the report from the Committee of the Whole House : when it was

Ordered, That the Committee of the Whole House have leave to sit again on the bills upon which progress has been reported ;

That the bills of this House reported without amendment be engrossed, and severally read a third time to-morrow ; except bill No. 806, for the relief of Captain Thomas Ap Catesby Jones, and that that bill be postponed until to-morrow ;

That the bills from the Senate reported without amendment be read a third time to-morrow.

The amendment reported from the Committee of the Whole House to the bill No. 1043 was read and concurred in ; and the bill was then ordered to be engrossed, and read a third time to-morrow.

The Speaker laid before the House sundry communications, viz :

I. A letter from the Secretary of the Treasury, containing the information called for by the House on the 28th of January ultimo, in relation to the expenditures on the new custom-house in the city of New York, and the amount necessary to complete the same ; which letter was ordered to lie on the table.

II. A letter from the Secretary of War, transmitting a report from the Paymaster General respecting the payment of State troops called into service in the Cherokee country, called for by the House on the 28th of January ultimo ; which letter was ordered to lie on the table.

III. A letter from the Secretary of War, transmitting a report from the Commissioner of Indian Affairs, containing the information called for by the House on the 14th January ultimo, respecting the payment of annuities to the Seneca Indians in the years 1837 and 1838, and the expenditure of certain appropriations ; which letter was read, and laid on the table.

On motion of Mr. Hall,

Ordered, That the report from the Secretary of the Treasury of the 28th ultimo, transmitting information respecting the issue of scrip for Virginia military land warrants, be referred to the Select Committee ap-

pointed on the 24th ultimo, on a report from the Secretary of the Treasury respecting the execution of the third section of the act of July 4, 1832, to provide for certain claims of the State of Virginia.

And then, at a quarter before five o'clock, the House adjourned until to-morrow, twelve o'clock meridian.

SATURDAY, FEBRUARY 2, 1839.

Another member, viz : from the State of Virginia, Isaac S. Pennybacker, appeared, and took his seat.

The House resumed the consideration of the motion reported by Mr. Cambreleng on the 29th of January ultimo, from the Committee of Ways and Means, to correct an error in the report of that Committee, submitted to the House on the 24th of January, on the state of the Treasury and the expenditures of Government, (see printed report No. 218,) by striking from the 17th printed page the latter clause of a note appended to a statement exhibiting the probable value to the United States of lands ceded by the Cherokee Indians; which latter clause is in the words following, to wit: "This last sum (\$1,147,000) was reported by the two chairmen of the two Indian Committees, (Messrs. White and Bell,) though the latter thought it was not enough; and, in his individual capacity, moved an addition of \$2,000,000, which was not agreed to: nor was the proposition of Mr. Everett, to give them upwards of \$5,000,000, in addition."

The question recurred on the motion made by Mr. Biddle, to recommit the motion to correct, with the report itself, to the Committee of Ways and Means, with instruction to correct any errors which may exist in the said report;

And, after debate, the hour elapsed, and the House proceeded to the business on the Speaker's table and to the orders of the day.

Bills from the Senate of the following titles, viz :

No. 61. An act for the benefit of the Alabama, Florida, and Georgia Railroad Company;

No. 224. An act to authorize the Secretary of the Treasury to extend the time for the payment of the duties upon certain bonds given by the Alabama, Florida, and Georgia Railroad Company, for the duties upon a quantity of railroad iron, imported by the said company, and for the laying of the said iron upon railroads;

where severally read the first and second time, and referred—

No. 61, to the Committee on the Public Lands.

No. 224, to the Committee on Manufactures.

The resolution from the Senate, (No. 3.) directing the manner in which certain laws of the District of Columbia shall be executed, was read the first and second time.

Engrossed bills of the following titles, viz :

No. 437. An act to provide for the settlement of the claim of Walter Jones against the United States;

No. 469. An act to provide for paying three companies of militia in the State of Indiana, called into the service of the United States;

No. 581. An act for the relief of John Brown & Co.;

No. 764. An act for the relief of Garret Vleit;

No. 765. An act for the relief of E. H. Williams, administrator of the estate of Doctor Hazel W. Crouch ;

No. 769. An act for the relief of Richard Hendley ;

No. 789. An act for the relief of Samuel Mussey and Thomas James, of the State of Missouri ;

No. 793. An act for the relief of A. J. Pickett and George W. Gayle ;

No. 796. An act for the relief of James Cox ;

No. 803. An act for the relief of Irad Kelley and Datus Kelley ;

No. 807. An act for the relief of John Jones and Charles Souder, and Robinson, Carr, & Co. ;

No. 810. An act for the relief of the legal representatives of Dunscomb Bradford, deceased ;

No. 811. An act for the relief of the legal representatives of the late Doctor James H. Cheears ;

No. 817. An act for the relief of Robert M. Roberts, or his legal assignees ;

No. 819. An act to authorize the trustees of the township of Oxford, in the county of Butler, in the State of Ohio, to enter a section of land in lieu of section 16 in said township, for the use of schools ;

No. 825. An act for the relief of Isaac Lilley ;

No. 833. An act for the relief of George Hommel ;

No. 837. An act for the relief of William Traverse ;

No. 838. An act for the relief of Andrew Rembert ;

No. 842. An act for the relief of Maria Hornbeck ;

No. 843. An act for the relief of Thompson Hutchison ;

No. 844. An act for the relief of Isaac Conly ;

No. 847. An act for the relief of the owners, officers, and crew of the armed brig Warrior, or their legal representatives ;

No. 849. An act for the relief of Richard Booker ;

No. 850. An act for the relief of Josiah F. Caldwell ;

No. 851. An act for the relief of Jamison & Williamson ;

No. 852. An act for the relief of Cornelius Taylor ;

No. 853. An act for the relief of James L. Stokes, and for other purposes ;

No. 856. An act for the relief of the widow or legal representatives of John Tilden ;

No. 857. An act for the relief of Jesse Seymour, or his legal representative ; and in alteration of an act entitled " An act respecting the late officers and crew of the sloop of war Wasp," approved 20th April, 1816 ;

No. 858. An act for the relief of Charles Rockwell ;

No. 859. An act for the relief of Thomas Kibby ;

No. 860. An act for the relief of John G. Mozart ;

No. 866. An act for the relief of the representatives of Ann Levacher de Van Brun ;

No. 870. An act for the relief of Sarah Windham, widow of the late Joshua Lamb, a soldier of the Revolution ;

No. 871. An act for the relief of George Cassady ;

No. 872. An act for the relief of the heirs of Colonel Daniel Boone, deceased ;

No. 877. An act for the relief of Joseph Hernandez ;

No. 878. An act for the relief of Woodburne Potter ;

- No. 879. An act for the relief of John L. McCarty ;
No. 880. An act for the relief of James Tongue, and the administrator of William Hudson, deceased ;
No. 881. An act for the relief of the assignees of Jacob Clement, deceased ;
No. 882. An act for the relief of Jacob Galencia ;
No. 884. An act for the relief of the heirs of Peyton Randolph, deceased ;
No. 886. An act for the benefit of the Choctaw Indians ;
No. 889. An act for the relief of Susan Gratiot, administratrix, and Charles Gratiot, administrator of Henry Gratiot, deceased ;
No. 920. An act for the relief of the legal representatives of Major Tarlton Woodson ;
No. 925. An act for the relief of Solomon Prewett ;
No. 926. An act for the relief of John England ;
No. 927. An act for the relief of Jacob Baugh ;
No. 928. An act for the relief of Elizabeth Jones ;
No. 929. An act for the relief of Oliver Peck ;
No. 930. An act for the relief of Susannah Roe, widow of John Roe ;
No. 931. An act restoring the name of John Davis to the pension-roll ;
No. 932. An act granting a pension to Elizabeth Durant ;
No. 933. An act for the relief of the widow of Captain James Hunter ;
No. 934. An act for the benefit of Fielding Pratt ;
No. 936. An act for the relief of the legal representatives of Nimrod Farrow and Richard Harris ;
No. 938. An act for the relief of the heirs and legal representatives of John Grimbail, sen. ;
No. 943. An act for the relief of Samuel Edgecomb ;
No. 944. An act for the relief of John Smith ;
No. 945. An act for the relief of Ichabod Beardsley ;
No. 946. An act for the relief of Sibil Barnes ;
No. 947. An act for the relief of Elizabeth French ;
No. 948. An act granting a pension to William Ford, of Virginia ;
No. 949. An act for the relief of Samuel Hatton, of Virginia ;
No. 950. An act restoring the name of John Lathram to the pension roll ;
No. 951. An act granting a pension to Catharine Allen, widow of Henry Allen ;
No. 952. An act for the relief of Elijah Blodget ;
No. 953. An act for the benefit of Thomas Collins ;
No. 954. An act for the relief of Samuel M. Asbury ;
No. 955. An act for the relief of James Fleming ;
No. 956. An act for the relief of Robert Whitett ;
No. 957. An act for the relief of Myron Chapin ;
No. 958. An act for the relief of Jared Winslow ;
No. 959. An act for the relief of Nathaniel Davis ;
No. 960. An act for the relief of Isaac Justis ;
No. 962. An act for the relief of Isaiah Parker ;
No. 963. An act for the relief of Levi M. Roberts ;
No. 964. An act for the relief of Isaac Boyd ;
No. 965. An act for the relief of Gideon Sheldon ;
No. 966. An act for the relief of William Smith ;
No. 967. An act for the relief of William Fitzgerald ;

- No. 968. An act for the relief of Eunice Saunders, late Eunice Pierson;
 No. 969. An act for the relief of the heirs of Charles Fitzgerald, deceased;
 No. 970. An act granting a pension to Martha Strong;
 No. 971. An act for the relief of Patrick Green;
 No. 972. An act granting a pension to John F. Wiley;
 No. 973. An act for the relief of Frederick Richmond;
 No. 977. An act granting a pension to Leonard Smith;
 No. 978. An act for the relief of Samuel B. Hugo;
 No. 988. An act for the relief of John Lybrook;
 No. 989. An act for the relief of Matthew Wiley;
 No. 990. An act for the relief of Frances Jones, widow of John Jones, of the State of Virginia;
 No. 991. An act granting a pension to widow Susannah Hoagland;
 No. 992. An act for the relief of William A. Cuddeback;
 No. 993. An act granting a pension to Hellen Miller, of New York;
 No. 994. An act granting a pension to William Andrews, of New York;
 No. 995. An act granting a pension to Thruston Cornell;
 No. 996. An act granting a pension to Stephen Olney;
 No. 997. An act granting a pension to Harvey Reynolds;
 No. 998. An act granting a pension to Doctor Sylvester Nash;
 No. 999. An act granting a pension to Stephen Appleby;
 No. 1000. An act for the relief of David Rollins;
 No. 1001. An act for the relief of William Sloan;
 No. 1002. An act granting a pension to John Clarke;
 No. 1003. An act granting a pension to Gilbert Sprague Fish;
 No. 1004. An act for the relief of Weight Hurlbert;
 No. 1005. An act for the relief of Eliphalet Spafford;
 No. 1006. An act granting an increase of pension to Ann Ross, widow of Lieutenant Andrew Ross;
 No. 1007. An act granting arrears of pension to Josiah Westlake;
 No. 1008. An act for the relief of Henry Grady, of North Carolina;
 No. 1009. An act for the relief of the legal representatives of John Addoms;
 No. 1011. An act for the relief of Nicholas Phelan, heir at law of John Phelan, deceased;
 No. 1013. An act for the relief of Rosaline Prudhomme;
 No. 1014. An act for the relief of Dennis Trammell;
 No. 1015. An act granting a pension to David Mellen;
 No. 1017. An act for the relief of Benjamin F. Wesley;
 No. 1018. An act for the relief of Chauncey Calhoun;
 No. 1021. An act for the relief of William B. Livesay;
 No. 1022. An act for the relief of Philip Catter;
 No. 1023. An act for the relief of Isaac Miller;
 No. 1024. An act for the relief of Peter Samuel Jaccard;
 No. 1027. An act for the relief of Thomas M. Burland;
 No. 1035. An act for the relief of the heirs at law of James Maglenen, late of the city of Baltimore, deceased;
 No. 1040. An act for the relief of William Harper, of South Carolina;
 No. 1041. An act granting a pension to Mary Updegraff, of Pennsylvania;

- No. 1042. An act granting a pension to Benjamin Price, of New Jersey;
No. 1043. An act granting a pension to Conrad Widrig;
No. 1044. An act for the relief of Barton Hooper;
No. 1045. An act for the relief of Charles Risley;
No. 1046. An act for the relief of John Keeler;
No. 1047. An act for the relief of John Howe;
No. 1049. An act for the relief of the widow of John March, deceased;
No. 1050. An act for the relief of Doctor Joshua M. Foltz;
No. 1051. An act for the relief of the legal representatives of Joshua Huddy;
No. 1052. An act for the relief of Ebenezer A. Lester;
No. 1053. An act for the relief of Joseph Jackson;
No. 1060. An act granting a pension to Elijah Foochee;
No. 1064. An act for the relief of certain officers of the Florida militia;
No. 1065. An act for the relief of Samuel Hoffman;
No. 1066. An act for the relief of Robert Milnor and John Thompson;
No. 1069. An act for the relief of the executors of Robert McFarland;
No. 1070. An act granting a pension to Reuben Murray, of the State of Virginia;
No. 1074. An act for the relief of Charles Benns;
No. 1075. An act for the relief of Menzies Gillespie, late a soldier of the United States army;
No. 1082. An act granting a pension to Chauncey Rice;
No. 1083. An act for the relief of James B. Rice;
No. 1093. An act for the relief of the heirs of Crocker Sampson, deceased;
were severally read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bills.

An engrossed bill (No. 775) for the relief of James Maxwell, of Pennsylvania, was read the third time, and passed.

The title of said bill was amended to read, "An act for the relief of the legal representatives of James Maxwell, of Pennsylvania."

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

An engrossed bill (No. 938) for the relief of the heirs and legal representatives of John Grimbail, senior, deceased, was read the third time; when,

On motion of Mr. Word, it was

Ordered, That the said bill be recommitted to the Committee of the Whole House.

The engrossed bill (No. 899) for the relief of Griffith Coombe and John P. Ingle, trustees of the house in the city of Washington commonly called "the Brick Capitol," was read the third time, and postponed until Saturday next, the 9th instant.

An engrossed bill (No. 481) for the relief of Roger Jones, Adjutant General of the army, was read the third time; when

A motion was made by Mr. Russell, that the said bill be postponed until Saturday next.

The previous question was moved by Mr. Howard; and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the bill pass? (the motion to postpone being set aside by the previous question,)

And passed in the affirmative.

The title of said bill was amended to read, "An act to amend an act entitled 'An act regulating the pay and emoluments of brevet officers;' approved April 16, 1816."

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

Joint resolutions of the following titles, viz:

No. 10. Resolution to allow a per centum on the salaries of the clerk and messenger of the Attorney General;

No. 26. Resolution for the relief of Edward Beatty, of Missouri; were severally read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate therein.

Bills from the Senate of the following titles, viz:

No. 5. An act for the relief of the heirs of John Braham, late receiver of public moneys at Huntsville, in Alabama;

No. 7. An act for the relief of William East;

No. 13. An act for the relief of Elisha Town;

No. 14. An act for the relief of Erastus Fairbanks and Thaddeus Fairbanks;

No. 15. An act for the relief of Thomas Sumpter;

No. 16. An act for the relief of Sarah Angel, and the other heirs at law of Benjamin King, deceased;

No. 42. An act for the relief of John Newton;

No. 51. An act for the relief of Jean B. Valle;

No. 56. An act for the relief of the owners of the British brig Despatch;

No. 57. An act to remunerate the captors of the privateer Lydia;

No. 76. An act for the relief of Jechonius Pigot and Benjamin Leacraft, sureties of James Manney, late collector of the customs for the district of Beaufort, in the State of North Carolina;

No. 77. An act to remit or to refund to the Philadelphia, Wilmington, and Baltimore Railroad Company, the duties upon certain railroad iron: were severally read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A motion was made by Mr. Sherrod Williams, that the House do reconsider the vote of this day by which the bill (No. 851) for the relief of Jamison and Williamson was passed; and the motion to reconsider was postponed until Friday next, the 8th of February instant.

A motion was made by Mr. Sherrod Williams that the House do reconsider the vote of this day by which the bill (No. 852) for the relief of Cornelius Taylor was passed; and the motion to reconsider was postponed until Friday next, the 8th of February instant.

The House proceeded to the consideration of the engrossed bill (No. 236) for the relief of the heirs or legal representatives of George C. Willard.

And the question was put, Shall the bill pass?

It passed in the affirmative.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

The House proceeded to the consideration of the engrossed bill (No. 351) entitled "An act for the relief of James P. Carlton."

And the question was stated, Shall the bill pass; when

A motion was made by Mr. Reed that the bill be recommitted to the Committee on the Judiciary;

And, after debate,

The House, at half-past four o'clock, adjourned until Monday next, twelve o'clock meridian.

MONDAY, FEBRUARY 4, 1839.

The rules in relation to the order of business being suspended by a vote of two-thirds, for the purpose of receiving the same,

Mr. Parker, from the committee appointed at the last session of Congress on the memorial of Francis P. Blair, which was instructed to make certain inquiries as to the public printing; and which committee was, on the 7th July, 1838, continued over to the present session, reported the following resolution:

Resolved, That the Select Committee on the public printing have leave to employ a clerk.

And on the question, Will the House agree to this resolution?

It passed in the affirmative.

A motion was made by Mr. Davies that the rules in relation to the order of business be suspended, and that the House do now proceed to the consideration of the resolution moved by him on the 28th of January ultimo, in the words following:

Resolved, That hereafter the daily hour of meeting of this House shall be eleven o'clock, A. M.

And the question being put,

It passed in the affirmative, (two-thirds voting therefor,) { Yeas, 114,
Nays, 54.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. James Alexander, jr.
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdsall
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
Andrew Buchanan
William B. Calhoun
C. C. Cambreleng

Mr. William B. Campbell
Zadok Casey
John Chambers
Richard Cheatham
Jesse F. Cleveland
Thomas Corwin
George W. Crabb
Robert Craig
Isaac E. Crary
Robert B. Cranston
John W. Crockett
Samuel Cushman
Edward Darlington
Thomas Davee
Edward Davies
Edmund Deberry
John Edwards

Mr. John Ewing
Isaac Fletcher
James Garland
Thomas Glascock
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
Abraham P. Grant
Hiram Gray
Elisha Haley
William Halsted
Robert H. Hammond
Albert G. Harrison
Alexander Harper
William S. Hastings
Richard Hawes

Mr. Charles E. Haynes
 Thomas Henry
 William Herod
 Samuel Ingham
 Thomas B. Jackson
 Joseph Johnson
 George M. Keim
 John P. Kennedy
 Daniel P. Leadbetter
 Dixon H. Lewis
 Francis S. Lyon
 Francis Mallory
 Richard P. Marvin
 James M. Mason
 Samson Mason
 John P. B. Maxwell
 James J. McKay
 Abraham McClellan
 Charles McClure
 Thomas M. T. McKennan
 Richard H. Menefee

Mr. John Miller
 William Montgomery
 Mathias Morris
 William H. Noble
 William Parmenter
 Virgil D. Parris
 Isaac S. Pennybacker
 Lancelot Phelps
 Zadock Pratt
 James Rariden
 Luther Reily
 Joseph Ridgway
 John Robertson
 Edward Rumsey
 John Sergeant
 Daniel Sheffer
 Augustine H. Sheppard
 Ebenezer J. Shields
 Matthias Sheplor
 William Slade
 William W. Southgate

Mr. Archibald Stuart
 William Stone
 Charles C. Stratton
 Henry Swearingen
 John Taliaferro
 Isaac Toucey
 Hopkins L. Turney
 Abraham Vanderveer
 Joseph Weeks
 Albert S. White
 John White
 Thomas T. Whittlesey
 Lewis Williams
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 Christopher H. Williams
 Thomas J. Word
 John T. H. Worthington
 Archibald Yell
 Thomas Jones Yorke

Those who voted in the negative are—

Mr. John Quincy Adams
 Heman Allen
 John W. Allen
 Hugh J. Anderson
 Isaac H. Bronson
 John Calhoun
 John Campbell
 John Chaney
 Timothy Childs
 Henry W. Connor
 John I. De Graff
 George C. Dromgoole
 George Evans
 Horace Everett
 Richard Fletcher
 Jacob Fry, jr.
 Albert Gallup
 Joshua R. Giddings

Mr. George Grennell, jr.
 John K. Griffin
 Micajah T. Hawkins
 Ogden Hoffman
 Hopkins Holsey
 Jabez Jackson
 Henry Johnson
 Nathaniel Jones
 Hugh S. Legare
 Levi Lincoln
 Joshua L. Martin
 Abram P. Maury
 William L. May
 Charles F. Mitchell
 Ely Moore
 William S. Morgan
 Charles Naylor
 Joseph C. Noyes

Mr. Amasa J. Parker
 Luther C. Peck
 Francis W. Pickens
 John Pope
 David Potts, jr.
 William W. Potter
 John H. Prentiss
 Sergeant S. Prentiss
 Harvey Putnam
 John P. Richardson
 Edward Robinson
 David Russell
 Leverett Saltonstall
 James B. Spencer
 William Taylor
 Joseph L. Tillinghast
 George W. Toland
 Henry Vail

The rules being suspended, the resolution was read, and the question was stated that the House do agree thereto.

The previous question was moved by Mr. Sherrod Williams, and, being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was put, viz: Will the House agree to the resolution?

And passed in the affirmative.

On motion of Mr. Pennybacker,

Ordered, That the case of Cecilia Ragan, widow of Richard Ragan, and the case of Philip Hartman, be referred to the Committee on Revolutionary Pensions.

On motion of Mr. Pennybacker,

Ordered, That the petition of Frederick Lantz, presented March 19, 1838, be referred to the Committee on Invalid Pensions.

A motion was made by Mr. Russell that the bill (No. 573) to prevent the deportation of paupers and convicts from foreign countries into the

United States be made the special order of the day for Thursday, the 14th of February; which motion was disagreed to by the House.

Mr. Fletcher, of Vermont, presented a memorial of Alden Partridge and Edward Burke, a committee appointed by the State militia convention which assembled at Montpelier, in the State of Vermont, on the 12th October, 1838, to address Congress on the subject of providing a more efficient system for the organization and discipline of the militia of the United States; which memorial sets forth the views of said convention as to the best mode of organizing and disciplining the militia of the United States.

Ordered, That the said memorial be referred to the Committee on the Militia.

Mr. Marvin presented a petition of inhabitants of Fredonia, in the county of Chautauque, in the State of New York, in behalf and in support of the application of Eunice Abell, widow of Thomas Abell, a revolutionary soldier, for a pension; which petition was referred to the Committee on Revolutionary Pensions.

The House resumed the consideration of the resolutions of the Legislature of the State of Vermont, presented by Mr. Everett, on the 21st of January ultimo.

The question recurred on the motion made by Mr. Parris, that the appeal from the decision of the Speaker, in relation to the motion made by Mr. Everett, on the 21st of January, that said resolutions be read, printed, and committed to the Committee of the Whole House on the state of the Union, do lie on table; when

Mr. Parris withdrew said motion; and then

Mr. Bronson withdrew the motion for the previous question, made by him, and pending on the 21st January.

And it now appearing that a part of said resolutions of the Legislature of the State of Vermont did not relate to the subject of slavery within the States and Territories of the United States, the Speaker modified his decision, made on the 21st January ultimo, and decided that so much of said resolutions as relates to the "abolition of slavery and the slave trade in the District of Columbia and the Territories of the United States, and the slave trade between the several States and the Territories of the Union," came within the order of the House of the 12th December ultimo, which directs "that every petition, memorial, resolution, proposition, or paper touching or relating, in any way, or to any extent whatever, to slavery as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table, without being debated, printed, or referred;" and that so much of the said resolutions of the Legislature of the State of Vermont, would be laid on the table accordingly, without further action thereon, and without being debated, printed, or referred.

The question was stated, Shall the decision of the Chair stand as the judgment of the House?

A motion was made by Mr. Bronson, that the said appeal do lie on the table;

And the question being put on this motion,

It passed in the affirmative,	{ Yeas,	122,
	{ Nays,	44.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John W. Allen
 Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 Linn Banks
 William Beatty
 Cyrus Beers
 John Bell
 Bennet Bicknell
 Richard Biddle
 Samuel Birdsall
 Isaac H. Bronson
 Andrew Buchanan
 C. C. Cambreleng
 William B. Carter
 Zadok Casey
 John Chaney
 Reuben Chapman
 Richard Cheatham
 Jesse F. Cleveland
 William K. Clowney
 Henry W. Connor
 George W. Crabb
 Robert Craig
 John W. Crockett
 Samuel Cushman
 Thomas Davee
 Edmund Deberry
 John I. De Graff
 George H. Dunn
 John Edwards
 John Ewing
 James Farrington
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 Thomas Glascock
 Seaton Grantland
 Hiram Gray
 John K. Griffin
 Robert H. Hammond

Mr. Thomas L. Hamer
 Albert G. Harrison
 Alexander Harper
 Richard Hawes
 Micajah T. Hawkins
 William Herod
 Hopkins Holsey
 Robert M. T. Hunter
 Thomas B. Jackson
 Jabez Jackson
 Henry Johnson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Hugh S. Legare
 Daniel P. Leadbetter
 Arphaxed Loomis
 Francis Mallory
 Joshua L. Martin
 John B. P. Maxwell
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 Richard H. Menefee
 Charles F. Mercer
 John Miller
 Charles F. Mitchell
 William Montgomery
 Ely Moore
 William S. Morgan
 William H. Noble
 John Palmer
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 Isaac S. Pennybacker
 David Petrikin
 Lancelot Phelps

Mr. Arnold Plumer
 John Pope
 William W. Potter
 Zadock Pratt
 John H. Prentiss
 Sergeant S. Prentiss
 Luther Reily
 John P. Richardson
 Francis E. Rives
 John Robertson
 Edward Rumsey
 Augustine H. Shepperd
 Charles Shepard
 Matthias Shepler
 William W. Southgate
 James B. Spencer
 Edward Stanly
 Archibald Stuart
 William Stone
 Henry Swearingen
 John Taliaferro
 William Taylor
 Waddy Thompson, jr.
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Joseph R. Underwood
 Henry Vail
 Abraham Vanderveer
 Albert S. White
 John White
 Thomas T. Whittlesey
 Lewis Williams
 Jared W. Williams
 Joseph L. Williams
 Christopher H. Williams
 Thomas J. Word
 John T. H. Worthington
 Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 J. Banker Ayerigg
 William Key Bond
 Nathaniel B. Borden
 George N. Briggs
 William B. Calhoun
 John C. Clark
 Robert B. Cranston
 Edward Darlington
 Edward Davies
 George C. Dromgoole
 George Evans
 Horace Everett

Mr. Richard Fletcher
 Isaac Fletcher
 Joshua R. Giddings
 Patrick G. Goode
 George Grennell, jr.
 William Halsted
 William S. Hastings
 Thomas Henry
 Levi Lincoln
 Samson Mason
 Thomas M. T. McKennan
 Mathias Morris
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle

Mr. Luther C. Peck
 David Potts, jr.
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Saltonstall
 John Sergeant
 Mark H. Sibley
 William Slade
 Joseph L. Tillinghast
 George W. Toland.

And so the said appeal was laid on the table.

A motion was then made by Mr. Everett, that the remainder of said resolutions of the Legislature of the State of Vermont, relating to the annexation of Texas to the United States, and the protest therein con-

tained against the order of the House of the 12th of December last, be referred to the Committee of the Whole on the state of the Union.

When it was, on motion of Mr. Dromgoole,

Ordered, That the same do lie on the table.

Mr. Jenifer asked leave to introduce a bill granting pensions to George Berkeley and John Weaver; and leave being granted,

Mr. Jenifer introduced said bill, (No. 1094;) which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Jenifer, by leave, submitted the following resolution:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the Navy be, and they are hereby, authorized to settle the claims of Benjamin Hewitt, growing out of a contract for the delivery of timber, upon such terms as, in their opinion, may be equitable and just.

The said resolution was read the first and second time, and committed to the Committee of Claims.

Mr. Slade presented a memorial of inhabitants of the counties of Cass and Van Buren, in the State of Michigan, praying for the repeal of all laws requiring the transportation of the mail on Sunday; which memorial was ordered to lie on the table.

Mr. Giddings presented a like memorial of inhabitants of Loraine county, in the State of Ohio; which memorial was also laid on the table.

Mr. Slade presented a petition of Samuel D. Braynard, of Addison, in the State of Vermont, praying for a pension for disability incurred in the service of the United States during the war of 1812 with Great Britain; which petition was referred to the Committee on Invalid Pensions.

Mr. Slade presented three memorials of inhabitants of the county of Addison, in the State of Vermont, praying that the contemplated national foundry may be located at the city of Vergennes, in said State; which memorials were committed to the Committee of the Whole House on the state of the Union, to which is committed the bill (No. 1032) to establish a national foundry.

Mr. Hoffman presented a petition of citizens of the city of New York, praying for the construction of a harbor at Milwaukee, in the Territory of Wisconsin; which petition was committed to the Committee of the Whole House on the state of the Union.

Mr. Putnam presented a petition of Humphrey Willard, of the county of Genesee, in the State of New York, a soldier of the Revolution, praying for a grant of bounty land; which petition was referred to the Committee on Private Land Claims.

Mr. Moore presented a memorial of sailmakers residing in the city of New York, praying that a duty may be imposed upon ready-made imported sails; which memorial was referred to the Committee on Manufactures.

Mr. Moore presented a petition of Owen McCue, of the city of Washington, setting forth that he was part owner of ticket (No. 1037) in the first class of the national lottery, drawn in virtue of the power given by Congress in the charter to the city of Washington, which ticket drew a prize of ten thousand dollars, for which he has never received any consideration, and praying relief in the premises; which petition was referred to the Committee for the District of Columbia.

Mr. Moore presented a memorial of journeymen cordwainers of the District of Columbia, setting forth that their business has been seriously injured by the labor performed by the convicts in the United States penitentiary in said District, and praying relief in the premises; which memorial was referred to the Committee for the District of Columbia.

Mr. Hoffman presented a petition of citizens of the city of New York, praying the passage of an act making the United States liable for costs, to the same extent as individuals are liable, and that such costs may be paid by the marshal of the court in which the suit shall have been commenced; which petition was referred to the Committee on the Judiciary.

Mr. Pratt presented documents in support of the case of Ransom Johnson, of the county of Green, in the State of New York, in support of a claim for an invalid pension; which documents were ordered to lie on the table.

Mr. Sergeant presented a petition of A. G. Ralston & Co., merchants of the city of Philadelphia, praying that the duties paid by them on iron imported for the use of the Wrightsville and York Railroad Company may be refunded.

Mr. Howard presented a communication from William Dawson & Co., setting forth the propriety of exempting foreign cotton from duty.

Ordered, That the said petition and communication be referred to the Committee on Manufactures.

Mr. Plumer presented a petition of Sarah, Henrietta, Augusta, and Adelaide Atkinson, and of citizens of Meadville, in the State of Pennsylvania, on their behalf, praying that the executors of Thomas Atkinson may be exonerated from the payment of a judgment obtained against him as one of the sureties of Richard Bean, collector of the direct tax and internal duties of the United States for the twenty-third collection district in the State of Pennsylvania.

Mr. Richardson presented a presentment of a grand jury of the circuit court of the United States for the district of South Carolina, at the November term in 1838, setting forth the propriety of increasing the compensation of the officers of the court, and jurors and witnesses attending the same.

Mr. Richardson presented the petition of the executors of James Roddy, presented heretofore December 29, 1837.

Mr. White, of Indiana, presented a communication from Frederick J. Betts, clerk of the district court of the United States for the southern district of New York, upon the subject of filing transcripts of judgments with the clerks of the supreme court of said State.

Ordered, That the said petitions and other papers be referred to the Committee on the Judiciary.

Mr. Casey presented a resolution of the Legislature of the State of Illinois, instructing the Senators and requesting the Representatives in Congress from said State "to use their exertions to secure the passage of a law granting to the volunteers and militia in the late war with Great Britain and the Indian tribes a bounty in land."

Mr. Ewing presented a resolution of the Legislature of the State of Indiana, instructing the Senators and requesting the Representatives from said State in the Congress of the United States to use their exertions to procure a grant of a township of land to said State, to aid in

support of an institution to be devoted solely to the education of deaf and dumb persons.

Mr. White, of Indiana, presented a petition of citizens of the counties of Lake and Porter, in the State of Indiana, praying that the benefits of the pre-emption law may be extended to settlers residing upon the land reserved from sale on account of the canal land claim of the State of Indiana.

Mr. Casey presented a petition of Robert Northen, and of sundry citizens of the State of Illinois in his behalf, praying that a pre-emption right may be granted said Northen to a certain lot of land in the Indiana reserve, in Jackson county, in said State.

Mr. Harrison presented a petition of Noah Coil, of Fulton, in the State of Missouri, praying permission to correct an error in his entry of a certain tract of land.

Mr. Harrison presented a petition of John Cole, of the State of Missouri, praying permission to enter, at Government price, a certain lot of land in the northwest quarter of section number three, in township forty-five north, of range six east, upon which he has made improvements.

Mr. Harrison presented a petition of Samuel Gladney, of Missouri, praying for a pre-emption right in the purchase of a certain lot of land, a claim to which he purchased in 1828, of John Lane, assignee of Albert Tison.

Mr. Yell presented a petition of Samuel Norris, of the county of Pope, in the State of Arkansas, praying a confirmation of his entry of the fractional sections of certain lands in township seven north, of range twenty west, in said State.

Mr. Yell presented a petition of Frederick Sangrain, of Pope county, in the State of Arkansas, praying a confirmation of his entry of the southwest fractional quarter section number thirty-two, in township seven north, of range twenty west, in said State.

Mr. Yell presented a petition of Joseph W. Spivey and others, heirs of Alexander Sweeney, praying a pre-emption in the purchase of a quarter section of land in the State of Arkansas

Mr. Cray presented a petition of inhabitants of the State of Michigan, praying for a division of the Grand-river land district in said State.

Mr. Doty presented a petition of citizens of Milwaukee, in the Territory of Wisconsin, praying the passage of an act confirming the pre-emption of Jacques Jean Vrian to the northwest quarter of section thirty-one, in township seven north, in range twenty-two east, in said Territory.

Mr. Chapman, delegate from Iowa, presented a petition of citizens of Davenport, in the Territory of Iowa, praying for the passage of an act granting to the said town of Davenport the fractions of lots upon which the said town is situated.

Mr. Chapman presented a petition of citizens of Fort Madison, in the Territory of Iowa, praying a donation of two sections of land to aid in erecting and endowing an academy at Fort Madison.

Mr. Harrison presented a petition of citizens of Benton, Polk, St. Clair, Rives, and Morgan, in the State of Missouri, praying for the establishment of a land office at Warsaw, in Benton county.

Mr. Hoffman presented a memorial of citizens of the county of Suffolk, in the State of New York, remonstrating against any reduction of the price of the public lands.

Mr. Alexander presented a petition of citizens of Antrim, in the State of Ohio, praying a donation of land in aid of the "Philomathean Literary Institute" in said State.

The Speaker presented a resolution of the Legislative Council of the Territory of Iowa, requesting the delegate in Congress from said Territory to use his exertions to obtain an appropriation for the survey of all the unsurveyed lands in said Territory to which the Indian title has been extinguished.

Ordered, That the said petitions, resolutions, and other papers be referred to the Committee on the Public Lands.

Mr. Jenifer presented a petition of Samuel Atchinson, of the city of Washington, praying an appropriation of one thousand dollars, or a pension of eight dollars per month during his life, as a compensation for a severe personal injury sustained while at work upon the Treasury building in said city; which petition was referred to the Committee on Public Buildings.

On motion of Mr. Bronson,

Ordered, That the Committee on the Territories be discharged from the consideration of the petition of citizens of Florida praying a grant of land for the benefit of the Dade Institute in Florida, and that it be referred to the Committee on the Public Lands.

Mr. White, of Indiana, presented a petition of citizens of Laporte county, in the State of Indiana, praying an appropriation for the improvement of the harbor at New Buffalo; which petition was committed to the Committee of the Whole House on the state of the Union.

Mr. Lyon presented a memorial of the Chamber of Commerce of the city of Mobile, praying that provision may be made for the education of boys as seamen for the merchant service; which memorial was referred to the Committee on Naval Affairs.

Mr. Yell presented a memorial of officers of the line of the army of the United States, praying that the line of the army may be placed upon an equal footing with the staff corps, with respect to pay and emoluments.

Mr. Bynum presented a like memorial of officers of the army.

Mr. Hammond presented a like memorial of officers of the army.

Mr. Kemble presented two like memorials of officers of the army, and also, of William H. Chase, major in the corps of engineers.

Mr. Yell presented a memorial of citizens of Arkansas, praying that the route of the military road authorized to be opened by an act of Congress of 1836, along the Western frontier, may be located wholly within the bounds of the States of Arkansas and Missouri.

Ordered, That the said memorials be referred to the Committee on Military Affairs.

Mr. Bronson presented a communication from the Attorney General of the United States, containing his opinion as to a question whether Territorial judges, under the constitution of the United States, are liable to, and subject to be removed by, impeachment.

Mr. Gallup presented a paper containing propositions of amendment to the constitution of the United States in relation to a uniform mode of banking throughout the Union.

Mr. De Graff presented a memorial of Philip Kearny, a farmer of Gouverneur, in the State of New York, and a citizen of the United States, setting forth a plan for a United States Bank, so organized as to be free

from the objections charged against the former United States Bank, and to be able to equalize the exchanges between the States.

Ordered, That the said communication, memorial, &c., do lie on the table.

The Speaker laid before the House a communication from the Secretary of the Territory of Wisconsin, transmitting a copy of the laws passed by the Legislature of Wisconsin during its session of 1837-'38, and the special session of June, 1838.

The Speaker laid before the House a preamble and resolution adopted at a convention of delegates convened at St. Joseph, in Florida, relating to the banks and railroad incorporations in said Territory.

Mr. Downing presented a similar preamble and resolution of the convention of delegates at St. Joseph, in Florida.

Ordered, That the said resolutions, &c., be referred to the Committee on the Territories.

Mr. Russell presented a petition of inhabitants of Clinton and Essex, in the State of New York, praying an appropriation to continue the military road from Plattsburg to Whitehall, in said State.

Mr. Russell also presented other petitions upon the same subject, from citizens of the State of New York, presented heretofore December 30, 1836.

Mr. Graham, of Indiana, presented a petition of citizens of the States bordering upon the Ohio river, praying for the construction of an additional canal around the falls of the Ohio, upon the Indiana side of the river.

Mr. Casey presented a petition of citizens of Fredonia, in the State of Indiana, praying a donation of land to aid in the construction of the Mount Carmel and New Albany railroad, in said State.

Mr. Yell presented resolutions of the General Assembly of the State of Arkansas, instructing the Senators and requesting the Representative from said State in the Congress of the United States, to use their exertions to procure an appropriation for the completion of the United States road from Memphis, in the State of Tennessee, to Little Rock, in the State of Arkansas.

Mr. Doty presented sundry petitions, memorials, &c., to wit :

A memorial of citizens of Racine county, in the Territory of Wisconsin, praying an appropriation for the construction of a road from Racine, at the mouth of Root river, to the Mississippi; and also for the survey of a railroad from lake Michigan to the Mississippi river;

Proceedings of a meeting of citizens of Sinipee, in Grant county, in Wisconsin Territory, in favor of a railroad from lake Michigan to the Mississippi river;

Proceedings of a meeting of citizens of Racine, in the Territory of Wisconsin, in favor of a railroad from that place to the Mississippi river, and remonstrating against the construction of a railroad from Milwaukee to the Mississippi; and also disapproving of sundry recommendations of the Governor of Wisconsin, contained in his late message to the Legislature of that Territory;

Also, twenty-one memorials, heretofore presented, from citizens of Wisconsin Territory, praying for the improvement of the Pickatonia, Fox, Pishtaka, Mississippi, Des Moines, and Rock rivers; for a ship-canal from Sheboygan to the head of lake Winnebago; for a road from Fort Winnebago to Fort Howard; for a road from lake Michigan to the Mississippi river; for a railroad from Dubuque to Milwaukee; for a road from South-

port to Rock river; for a military road from Chicago to Green Bay; and for sundry other roads in said Territory, in said memorials particularly mentioned.

Ordered, That the said petitions, memorials, &c., be referred to the Committee on Roads and Canals.

Mr. De Graff presented a petition of Mary W. Thompson, widow and devisee of Colonel Alexander R. Thompson, of the United States army, who was killed at the battle of Okeechobee, in Florida, in 1837, praying compensation for horses lost in the Florida campaign.

Mr. Mercer presented a petition of citizens of the State of Virginia, praying for the erection of a bridge across the Shenandoah river at Harper's Ferry.

Mr. Cleveland presented a petition of the widow and children of Captain John Jackson, late of the revenue-cutter service of the United States, praying a pension in consideration of the services of their ancestor during and since the war of 1812 with Great Britain.

Mr. Harrison presented the petition of Joseph Barckley, presented heretofore December 16, 1835.

Mr. Bouldin presented the petition of the heirs of Brackett Baldwin, presented heretofore March 26, 1838.

Mr. Goode presented the petition of inhabitants of Ohio for an armory at Maumee city, presented heretofore January 2, 1838.

Ordered, That the said petitions and memorials be referred to the Committee on Military Affairs.

Mr. Goode presented a statement of claims against the Ottawa band of Indians, of the Miami river of lake Erie, in favor of citizens of Ohio, the payment of which is directed to be made by the chiefs and head men of said nation of Indians, out of their usual annuity, before a division is made among said Indians; which statement was referred to the Committee on Indian Affairs.

Mr. Sergeant presented a petition of James P. Espy, of the city of Philadelphia, praying the appointment of a committee to witness his experiments in producing rain; which petition was referred to the Committee on Agriculture.

Mr. Deberry presented a memorial of Russell Comstock, of New York, praying Congress to purchase and publish certain discoveries alleged to have been made by him, to promote the preservation and increase of agricultural products; which memorial was referred to the Committee on Agriculture.

Mr. Vanderveer presented a petition of Mary Conklin, of the city of Brooklyn, in the State of New York, widow of Enoch Conklin, deceased, who was part owner and master of the private armed brig Arrow, which sailed from the city of New York in the year 1814, praying an appropriation of money for her relief, in addition to the relief afforded her under the act of 19th June, 1834.

Mr. Moore presented a memorial of officers of the marine corps of the United States, setting forth the utility and importance of the said corps, and praying the passage of acts to increase and improve the same.

Mr. De Graff presented the petition of Samuel Belding, presented heretofore January 6, 1834.

Ordered, That the said petitions and memorials be referred to the Committee on Naval Affairs.

Mr. Graves presented a communication from Robeson De Hart, of Louisville, Kentucky, upon the subject of Captain Shreve's claim to the invention of the plan of the "snag-boat."

Mr. Graves presented an essay on steam, by J. Walter, of Louisville, Kentucky.

Ordered, That the said communication and essay be referred to the Select Committee upon the report of the Secretary of the Treasury on steam-engines.

Mr. Marvin presented two petitions of inhabitants of Chautauque county, in the State of New York, praying an appropriation for a breakwater at Van Buren harbor, on lake Erie.

Mr. Marvin presented a petition of inhabitants of Little Valley, in the State of New York, praying for the improvement of the navigation of the Allegany river.

Mr. Grant presented a like petition of citizens of Oneida county, in the State of New York.

Mr. Peck presented two like petitions of citizens of Allegany county, in the State of New York.

Mr. Goode presented a memorial of J. W. Scott, praying that the law for taking the next census may be so framed as to embrace all the facts necessary to ascertain the condition and resources of the nation.

Ordered, That the said petitions and memorials be committed to the Committee of the Whole House on the state of the Union.

Mr. Duncan presented a memorial of owners and navigators of steam-boats on the Western waters, praying that the law of the last session of Congress "to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam," may be amended in the manner therein set forth; which memorial was referred to the Select Committee appointed upon a report from the Secretary of the Treasury relating to steam-engines.

The Speaker laid before the House a communication from Joseph Nourse upon the subject of his claim now pending before the House of Representatives; which communication was committed to the Committee of the Whole House to which the bill (No. 70) for the relief of said Joseph Nourse is committed.

Mr. Hunter, of Ohio, presented a petition of Anna Bemis, of Erie county, Ohio, one of the heirs of Daniel Morley, deceased, who was a soldier of the Revolution, praying for the bounty land to which their ancestor was entitled for his revolutionary services; which petition was referred to the Committee on Private Land Claims.

Mr. Naylor presented a memorial of citizens of the county of Philadelphia and State of Pennsylvania, praying that measures may be taken for establishing a congress of nations for the purpose of settling the principles of international law, and of organizing a high court of nations to prevent wars.

Mr. Peck presented a like memorial of citizens of the county of Allegany, in the State of New York.

Mr. Childs presented a like memorial of citizens of Wayne county, in the State of New York.

Mr. Slade presented three like memorials of inhabitants of Burke and Middlebury, in the State of Vermont, members of the Vermont Peace Society.

Mr. Bicknell presented a memorial of the Peace Society and of other inhabitants of the State of New York, praying Congress to act as mediator between France and Mexico.

Mr. Allen, of Ohio, presented five memorials of citizens of the county of Medina, in the State of Ohio, praying that measures may be taken to demand immediate satisfaction and indemnity of Great Britain for the destruction of the steamboat Caroline.

Memorials praying an amendment or repeal of the law of the last session of Congress, commonly called the "neutrality law," entitled "An act supplementary to an act entitled 'An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned,' approved 20th April, 1818," were presented as follows, to wit:

By Mr. Fletcher, of Vermont: Of inhabitants of Washington, in the State of Vermont.

By Mr. Underwood: Of inhabitants of Portage county, in the State of Ohio.

By Mr. Allen, of Ohio: Five petitions of inhabitants of Medina county, in the State of Ohio.

By Mr. Mitchell: Two memorials of inhabitants of Niagara and Orleans counties, in the State of New York.

By Mr. Putnam: Of inhabitants of Genesee county, in the State of New York.

By Mr. Noble: Of inhabitants of Cayuga county, in the State of New York.

By Mr. Giddings: Eight memorials of inhabitants of Geauga county, in the State of Ohio.

By Mr. Shepler: Of inhabitants of Stark county, in the State of Ohio.

By Mr. Leadbetter: Of inhabitants of Tuscarawas county, in the State of Ohio.

By Mr. Taylor: Two of inhabitants of Onondaga county, in the State of New York.

Ordered, That said memorials be referred to the Committee on Foreign Affairs.

Mr. Taliaferro presented a petition of Ann E. Brounagh, of the county of Stafford and State of Virginia, widow of the late John W. Brounagh, praying that a certain judgment in favor of the United States may be released to her, and the right conferred upon her to use it for her benefit in resisting the claims of other creditors in certain suits against her.

Mr. Sergeant presented a petition of Margaret C. Meade, widow and sole executrix of Richard W. Meade, late of Pennsylvania, deceased, presented heretofore, January 4, 1832.

Mr. Russell presented a memorial of citizens of the counties of Washington, St. Lawrence, and Franklin, in the State of New York, praying protection against the threatened aggression from the British provinces of Upper and Lower Canada.

Mr. Spencer presented a like memorial of citizens of the counties of St. Lawrence and Franklin, in the State of New York.

Mr. Crary presented a memorial of E. A. Theller, who was captured by British forces in Canada in the year 1838, during the disturbances in that province of Great Britain, and condemned to death for high treason, setting forth that he is an Irishman by birth, and a naturalized citizen of

the United States; and that upon his trial for treason, the chief justice of the province, who presided at the trial, instructed the jury that "birth and the residence of one hour in her Majesty's dominions created a perpetual allegiance, from which the party could never be exonerated under any plea or pretence;" and appealing to Congress to settle the question of citizenship of her adopted citizens by the passage of a law for their protection.

Mr. Beatty presented a memorial of E. A. Theller, a copy of that presented as above by Mr. Crary.

Memorials praying Congress to recognise the independence of the republic of Hayti were presented as follows, to wit:

By Mr. Birdsall: Of inhabitants of Waterloo, in the State of New York.

By Mr. Evans: Of inhabitants of Bloomfield, Waterville, and Gardiner, in the State of Maine.

By Mr. Naylor: Of inhabitants of the county of Philadelphia, in the State of Pennsylvania.

By Mr. H. Allen: Of inhabitants of St. Alban's, in the State of Vermont.

By Mr. Marvine: Of inhabitants of Otto, in the State of New York.

By Mr. Spencer: Of inhabitants of Bombay, in the State of New York.

By Mr. Peck: Of inhabitants of Allegany county, in the State of New York.

Ordered, That the said memorials, petitions, &c., be referred to the Committee on Foreign Affairs.

Mr. Lyon presented the claim of Thomas Simpson, late receiver of public moneys at Demopolis, in Alabama, for a further allowance for risk in depositing public funds; which claim was referred to the Committee of Claims.

Under the order of the 14th of December last, petitions and memorials were presented and referred, as follows:

By Mr. Harper: Of Arthur Taggart; which was referred to the Committee of Claims.

By Mr. Harper: Of John S. Parkerson; which was referred to the Committee of Claims.

By Mr. Edwards: Of Elisha Bentley; which was referred to the Committee on Revolutionary Pensions.

By Mr. Noyes: Of Henry Beamish; which was referred to the Committee on Commerce.

By Mr. Potter: Of Samuel Jordan; which was referred to the Committee on Revolutionary Pensions.

By Mr. Anderson: Of John Patterson; which was referred to the Committee on Commerce.

Mr. Hoffman presented the petition of Solomon J. Lee, heretofore presented on the 12th of December, 1837, praying to be compensated for services by him performed in the public service during the revolutionary war.

Mr. Naylor presented a petition of Job Whipple, praying to be compensated for losses sustained and services rendered by his father, John Whipple, during the revolutionary war.

Mr. Bouldin presented the petition of Willis Wilson, of the State of Virginia, heretofore presented on the 13th of February, 1818, praying for commutation pay as a lieutenant in the revolutionary war.

Mr. Taliaferro presented a petition of the heirs of Thomas Helm, pray-

ing to be allowed and paid the commutation pay to which their ancestor was entitled as a captain in the Virginia line during the revolutionary war.

Mr. Christopher H. Williams presented a petition of Hugh Cannon, of the State of Tennessee, praying to be remunerated for injuries sustained while a soldier in the revolutionary war.

Ordered, That the said petitions be referred to the Committee on Revolutionary Claims.

Mr. Moore presented a petition of citizens of the District of Columbia, praying that Congress will give neither support nor countenance to "a band of fanatics, embracing men, women, and children, who cease not day or night, to crowd the tables of Congress with their seditious memorials upon the subject of slavery, having a tendency to disturb the integrity of the Union."

A brief statement of the contents of this petition was made by Mr. Moore, when it was laid on the table.

Mr. Beers presented a petition of inhabitants of the county of Tompkins, in the State of New York, praying for the establishment of a mail route from Groton to McLean, in said county.

Mr. McClellan, of New York, presented a petition of citizens of the city of Troy, in the State of New York, praying for an alteration in the rates of postage.

Mr. Taylor presented a petition of inhabitants of the counties of Onondaga and Madison, in the State of New York, praying for the establishment of a post route from Kirkville, by Adamton, to Bridgeport.

Mr. Edwards presented a petition of inhabitants of the towns of Johnstown and Bleecker, in the county of Fulton, State of New York, praying for the establishment of a mail route from Johnstown to Linley's corners.

Mr. McKennan, Mr. Buchanan, and Mr. Morgan, severally, presented petitions of inhabitants of Pennsylvania and Virginia, praying for the establishment of a post route from Pittsburg, Pennsylvania, to Morgantown, Virginia.

Mr. Coles presented three petitions of inhabitants of the county of Halifax, in the State of Virginia, praying for the establishment of a mail route from Mount Laurel to Republican Grove.

Mr. Lewis Williams presented a petition of inhabitants of Surrey county, North Carolina, praying for the establishment of a post road from Chappell's cross-roads to Jonesville.

Mr. Richardson presented a petition of Benjamin F. Hard, of the city of Charleston, in the State of South Carolina, praying for additional compensation for carrying the mail from said city to the city of Savannah, in Georgia.

Mr. Richardson also presented a petition of Benjamin F. Hard and Gilbert Longstreet, praying for additional compensation for carrying the mail from Charleston, South Carolina, to Augusta, in the State of Georgia.

Mr. Menefee presented a petition of inhabitants of the county of Lawrence, in the State of Kentucky, praying for the establishment of a mail route from Greenupsburg to Louisa.

Mr. Menefee also presented a petition of inhabitants of Maysville, in the State of Kentucky, praying for the establishment of a mail route from Maysville to Mount Sterling.

Mr. Samson Mason presented a petition of citizens of Mechanicsburg.

in the State of Ohio, praying for a change of the mail route from Columbus to Urbana.

Mr. J. W. Allen presented a petition of citizens of the counties of Cuyahoga and Portage, in the State of Ohio, praying for a mail route from Twinesburg to Willoughby.

Mr. Goode presented a petition of citizens of the counties of Miami, Dark, and Champaign, in the State of Ohio, praying for the establishment of a mail route from Urbana to Greenville, in said State.

Mr. Rariden presented a petition from citizens of De Kalb and Noble counties, in Indiana, and Williams county, in Ohio, praying for the establishment of a mail route from New Rochester, Ohio, to Sparta, in the State of Indiana.

Mr. William Graham presented a petition of citizens of the county of Jennings, in the State of Indiana, praying for the establishment of a mail route from Rockford to Greensburg, in said State.

Mr. Word presented a petition of citizens of the State of Mississippi, praying for the establishment of a mail route from Tuscaloosa, in the State of Alabama, to Jackson, in the State of Mississippi.

Mr. Casey presented a petition of citizens of the counties of Jackson and Perry, in the State of Illinois, praying for the establishment of a mail route from Brownsville to New Nashville, in said State.

Mr. Crabb presented a petition of citizens of the counties of Greene and Sumter, in the State of Alabama, praying for the establishment of a post road from Greensboro', in said State, to Brandon, in the State of Mississippi.

Mr. Crary presented a petition of citizens of the State of Michigan, praying for the establishment of a mail route from Jonesville, in said State, to Lafayette, in the State of Ohio.

Mr. Crary also presented a petition of inhabitants of the counties of Jackson and Hillsdale, in the State of Michigan, praying for the establishment of a mail route from Spring Arbor to Moscow, in said State.

Mr. Chapman, of Iowa, presented a petition of citizens of the counties of Scott, Cedar, and Lynn, in the Territory of Iowa, praying for the establishment of a mail route from Davenport to the Buffalo fork, on the Wapesecon river, in said Territory.

Ordered, That said petitions be referred to the Committee on the Post Office and Post Roads.

Mr. Gallup presented a petition of Jonathan Jenkins, A. C. Desbrow, David J. D. Verplank, and others, citizens of the county of Albany, in the State of New York, praying that all revolutionary pensioners may be allowed ninety-six dollars per annum, without reference to the time they served.

Mr. Kemble presented a petition of Mary Reynolds, of Southeast, Putnam county, in the State of New York, widow of Jonathan Reynolds, a soldier of the Revolution, praying for a pension.

Mr. Kemble presented a petition of Isaac Haviland, of the town of Pawlings, county of Dutchess, State of New York, praying a pension for services rendered in the war of the Revolution as a teamster.

Mr. Edwards presented a petition of John F. Empie, of the town of Ephratah, in the county of Fulton, State of New York, a soldier of the Revolution, praying to be restored to the pension-list.

Mr. Mitchell presented a petition of Jeremiah Cady, of the county of Orleans, State of New York, a soldier of the Revolution, praying for a pension.

Mr. Mitchell presented a petition of Ruby Jacobs, of the town of Roy-alton, in the county of Niagara, State of New York, widow of John Ja-cobs, a soldier of the Revolution, praying for a pension.

Mr. Moore presented a petition of John Brower, of the city of New York, a soldier of the Revolution, praying for a pension.

Mr. Halsted presented a petition of Susannah Titus, of Hopewell, Hun-terdon county, State of New Jersey, widow of Solomon Titus, a soldier of the Revolution, praying for a pension.

Mr. Jenifer presented a petition of Ann Goldsborough, of St. Mary's county, State of Maryland, widow of Charles Goldsborough, a soldier of the war of the Revolution, praying for a pension.

Mr. Petrikin presented a petition of Eve Haas, of Northumberland county, State of Pennsylvania, widow of Peter Haas, a soldier of the Revolution, praying for a pension.

Mr. Graves presented a petition of John Groves, of the county of Jeffer-son, State of Kentucky, a soldier of the Revolution, praying for a pension.

Mr. Whittlesey presented a petition of Samuel Deane, of Stamford, in the county of Fairfield, State of Connecticut, a soldier of the Revolution, praying for a pension.

Mr. Word presented a petition of Ebenezer Storer, a revolutionary pen-sioner, praying for arrears of pension.

Mr. Word presented the petition of David Morrow, of the county of Lafayette, in the State of Mississippi, a revolutionary pensioner, praying for arrears of pension.

Mr. Casey presented a petition of Robert Brownfield, of the county of Champaigne, in the State of Illinois, a soldier of the Revolution, praying for a pension.

Ordered, That said petitions be referred to the Committee on Revolu-tionary Pensions.

Mr. Noble presented additional testimony in the case of William Glover, of the town of Brutus, in the county of Cayuga, State of New York, a sol-dier of the late war with Great Britain, heretofore presented December 12, 1836.

Mr. Pratt presented a petition of John W. Wykoff, of Roxbury, in the county of Delaware, State of New York, a soldier of the late war with Great Britain, praying for a pension.

Mr. Pratt presented a petition of Ransom Johnson and others, of the State of New York, soldiers in the late war with Great Britain, praying for pensions.

Mr. Bronson presented a petition of Medad Cook, of Sackett's Harbor, in the State of New York, a soldier in the late war with Great Britain, praying for a pension.

Mr. Putnam presented a petition of John Gassaway, of the State of New York, an officer of the late war with Great Britain, praying for ar-rears of pension.

Mr. Keim presented a petition of Abraham N. Brevoort, a captain in the marine corps of the United States, praying for a pension for disabili-ties incurred in the line of his duty.

Mr. Plumer presented a petition of James Cox, late a private soldier in

the marine corps of the United States, praying for a pension for injuries received in the public service.

Mr. Stone presented a petition of William S. Arnett, of the State of Alabama, a soldier of the late war, and signed by eighty other citizens of the same State, praying that Congress will grant said Arnett eighty acres of land, in consideration of wounds received and services rendered.

Mr. Bell presented the petition of Randolph Carter, of the State of Tennessee, a soldier in the Indian war of 1795, heretofore presented December 14, 1837.

Mr. Goode presented the petition of Daniel Fielding, of the State of Ohio, an invalid pensioner, praying for arrears of pension.

Mr. Ridgway presented a petition of Lewis Howard, of the county of Pickaway, in the State of Ohio, a soldier of the late war with Great Britain, praying for a pension.

Mr. Bond presented a petition of Charles Love, of the county of Pike, in the State of Ohio, an invalid pensioner, praying for arrears of pension.

Mr. Casey presented a petition of John Trowbridge, late a soldier in the army of the United States, praying for a pension for disability incurred in the public service.

Mr. Harrison presented a petition of Richard B. Brumfield, of the county of St. Charles, State of Missouri, only surviving son and heir of Samuel H. Brumfield, who was killed in the military service in the year 1814, praying for five years' half pay for services rendered by his said father.

Ordered, That said petitions be referred to the Committee on Invalid Pensions.

Mr. Moore presented a memorial of Harriet Plinter, late Harriet Shackerly; Maria E. Ballagh, late Maria E. Shackerly; and Sarah Woodruff, late Sarah Shackerly; all of the State of New York, orphan children of Peter Shackerly, deceased, representing that the said Peter Shackerly was killed by a cannon-shot in the attack of the British ship Leopard upon the American ship Chesapeake in 1807, and praying that some pecuniary provision be made for them.

Mr. De Graff presented a petition of Martha Bailey, widow and administratrix of Theodorus Bailey, deceased; Henry James Anderson, administrator, and Sarah Anderson, administratrix, of Elbert Anderson deceased; and James Thorne, in behalf of himself and Elias Mather, formerly his partner, praying an additional allowance on account of a quantity of whiskey furnished for the army, under a contract, during the late war with Great Britain.

Mr. Hoffman presented the petition of Thomas G. Swain, late vice commercial agent of the United States at Port-au-Prince, asking relief from certain responsibilities incurred by him in consequence of his official acts.

Mr. Hoffman presented the petition of Robert Diedrich, of the city of New York, praying the payment of a judgment recovered by him against Samuel Swartwout, late collector of the port of New York, in his official capacity as collector.

Mr. Keim presented the memorial of Edward D. Tippet, praying compensation for certain military services rendered the United States.

Mr. Beatty presented the petition of John G. Clayton, praying compensation for a horse lost in the service of the United States during the late war.

Mr. William Cost Johnson presented the petition of Richard Watkins,

praying compensation for a horse lost in the military service of the United States during the late war with Great Britain.

Mr. Graves presented a petition of James C. Blair, of Kentucky, praying compensation for a quantity of clothing placed in the steam snag-boat Archimedes, which boat was in the service of the United States, to be issued to the crew thereof in part payment of their wages, and sunk in the Mississippi river with said boat in the year 1836.

Mr. Goode presented the petition of Nancy Egnew, widow of George Egnew, deceased, heretofore presented December 28, 1836.

Mr. Goode presented the petition of Richard Hathaway and William N. Flinn and James Flinn, heretofore presented May 21, 1838.

Mr. Goode presented the petition of Jacob Vance, of Ohio, heretofore presented January 22, 1819.

Mr. Ridgway presented the petition of John Kelley, of Columbus, Ohio, praying compensation for taking Richard H. White and his brother, Henry H. White, charged with setting fire to the Treasury building in 1833, and delivering them up to the public authorities at Washington, and for other services connected therewith.

Mr. McKay presented the petition of Joseph H. Walters, of North Carolina, praying the removal of a shoal from the mouth of the canal on his rice plantation on Cape Fear river, which shoal was caused by the improvements of the navigation of the river directed by the United States.

Mr. Casey presented the petition of Joshua Barker, praying Congress to compensate him for a horse lost in the military service of the United States.

Mr. Snyder presented the petition of David Angle, of Grenville, Illinois, praying compensation for two rifle guns, shot-pouches, and powder-horns, furnished to the United States.

Mr. Lyon presented certain papers relating to the petition of Thomas Simpson, late receiver of public moneys at Demopolis, Alabama, heretofore presented.

Mr. Crabb presented the petition of William Fleming, of the State of Alabama, praying compensation for three horses and a gun taken from him, in Georgia, in the years 1792 and 1793, by the Cherokee Indians.

Mr. Crabb presented additional papers relating to the petition of Joseph P. Johnston and of George W. Johnston, of Alabama, heretofore presented.

Mr. Harrison presented the memorial of the General Assembly of the State of Missouri, heretofore presented February 14, 1838.

Mr. Harrison presented additional testimony in relation to the petition of Captain Lewis Bissell, heretofore presented; also, additional papers relating to the petition of Isaac Ruland, heretofore presented.

Mr. Harrison presented the memorial of Martin Thomas, late superintendent of the public lead-mines, heretofore presented May 17, 1836.

Mr. Whittlesey presented the petition of George A. Winslow, a soldier in the late war, praying remuneration for services.

Mr. Bell presented the petition and papers of William L. S. Dearing, heretofore presented December 27, 1832.

Ordered, That the said petitions and papers be referred to the Committee of Claims.

Mr. Menefee presented a petition of John McDaniel, of Lewis county, Kentucky, praying the confirmation of a Spanish grant of lands in the present State of Arkansas.

Mr. Plumer presented the petition of Deborah Bowen, of Crawford county, in the State of Pennsylvania, praying Congress to grant her one hundred and sixty acres of land, in exchange for steril land, which was given her son Benjamin Hillman, a soldier in the late war, as military bounty land.

Mr. Goode presented the petition of Jacob Hooz, of Indiana, praying a confirmation of his title to an Indian reservation on the Kankakee river, purchased by him.

Mr. Crary presented the petition of Edwin F. Doane, of Michigan, praying leave to change his entry of eighty acres of land purchased of the United States.

Mr. Harrison presented the petition of James Tourney, praying the confirmation of his title to a grant of land in Missouri, made to him in 1799.

Mr. Harrison presented the petition of Pierre A. Laforge, of Missouri, heretofore presented March 21, 1836.

Mr. Word presented the petition of George W. Tripp and others, of the State of Mississippi, praying for the confirmation of a pre-emption purchase under the act of 13th June, 1834.

Mr. White, of Indiana, presented the remonstrance of citizens of the town and county of Milwaukee, in the Territory of Wisconsin, against the confirmation of certain land titles to Levanture and others.

Mr. White, of Indiana, presented the remonstrance heretofore presented on this subject from inhabitants of Milwaukee.

Mr. R. Garland presented the petition of Dusuan de la Croix, of Louisiana, praying the confirmation of his title to a grant of land.

Ordered, That the said petitions and other papers be referred to the Committee on Private Land Claims.

Mr. Yorke presented petitions of citizens of Bridgeton, Marshallville, and Millville, in the county of Cumberland and State of New Jersey, masters and owners of vessels, and others, praying an appropriation for the erection of a breakwater on Crow shoals, in the Delaware bay.

Mr. Yorke presented a petition of citizens of Marshallville, in the county of Cumberland and State of New Jersey, engaged in the coasting trade, praying to be released from the payment of pilotage and half pilotage in certain cases.

Mr. Sergeant presented a petition of citizens of Erie, in the State of Pennsylvania, praying for the erection of a harbor at Milwaukee, in the Territory of Wisconsin.

Mr. Sergeant presented a petition of ship-owners, masters, and others, citizens of the city of Philadelphia, praying the erection of piers on the river Delaware, at the mouth of the Delaware and Chesapeake canal.

Mr. Aycrigg presented resolutions of the common council of the city of Newark, in the State of New Jersey, in favor of the application of the citizens of that place to Congress for an appropriation for the removal of certain obstructions to the navigation of Newark bay and the river Passaic; and soliciting the members from said State to press the subject upon the attention of Congress.

Mr. Randolph presented several petitions from a large number of citizens of New Jersey and several other States interested in the coasting trade, praying relief against the operation of the laws requiring coasting vessels refusing to take pilots on board to pay half or whole pilotage.

Mr. Naylor presented a petition of citizens of Philadelphia interested in trade, praying for the erection of piers in the river Delaware, at the mouth of the Chesapeake and Delaware canal.

Mr. Taliaferro presented a memorial of the citizens of Tappahannoc, in the State of Virginia, remonstrating against the removal of the collector's office at that place to Fredericksburg.

Mr. Bynum presented a memorial of citizens of North Carolina, and residents of the country on the Roanoke river, praying that the town of Williamston may be made a port of entry.

Mr. John W. Allen, of Ohio, presented a petition of citizens of Cleveland, in Ohio, praying the construction of a steam revenue-cutter on lake Erie.

Mr. Goode presented a petition of citizens of Lucas county, in the State of Ohio, praying that a steam-vessel may be constructed for service on the Northern lakes.

Mr. Goode presented two petitions of inhabitants of Lucas county, in the State of Ohio, one heretofore presented March 5, 1838, praying the establishment of beacon-lights in Maumee bay.

Mr. Harrison presented a petition of John Ward and others, citizens of the State of Missouri, praying to be permitted to import, free of duty, the material necessary for two iron steamboats.

Mr. Ewing presented a memorial and joint resolution of the General Assembly of the State of Indiana, asking the aid of Congress to construct a canal around the falls of the Ohio river, on the Indiana side.

Mr. Doty presented a petition of inhabitants of the Territory of Wisconsin, praying an appropriation for a harbor at Milwaukee.

Mr. Crary presented two petitions of inhabitants of the State of Michigan, praying an appropriation for the improvement of the harbor of Port Sheldon.

Mr. Crary presented a petition of inhabitants of the State of Michigan, praying an appropriation for the improvement of the harbor of North Black river.

Ordered, That said petitions and memorials be referred to the Committee on Commerce.

Mr. Sergeant presented a memorial of citizens of the city of Philadelphia, praying that, in providing the census of the inhabitants of the United States hereafter to be taken from time to time, the instructions given to the persons who may be employed to take the same may be so framed as to render it their duty to ascertain and return the number of *idiots* and *insane* persons in the several States, Territories, and Districts of the Union, to the end that the Legislatures of the States may be furnished with accurate knowledge of the number of that afflicted class of our fellow-citizens, and be thereby the better enabled to make suitable provision for their relief; which memorial was ordered to lie on the table.

Mr. Montgomery presented resolutions adopted by the General Assembly of the State of North Carolina, a copy of the resolutions of the same Legislature presented by Mr. Lewis Williams on the 16th of January ultimo; which resolutions were ordered to lie on the table.

Mr. Cambreleng presented a petition of the Appalachian Land Company of Florida, praying that an appropriation of twenty thousand dollars may be made for the improvement of the navigation of the harbor of Appalachicola.

Mr. Cambreleng presented a like petition from citizens of the said town of Appalachicola, in Florida.

Mr. Howard presented a memorial of D. Raymond and G. Friend, of Allegany county, in the State of Maryland, praying that the whole tariff or revenue system of the Government may be revised and amended, and suggesting various modifications and amendments which the memorialists think ought to be made therein.

Mr. Stanly presented a petition of James S. Blount, of the county of Beaufort, in the State of North Carolina, praying to be relieved from the effects of a judgment recovered against him as the surety of one Isaac Smith, in a duty-bond given to the United States for three hundred and fifty-one dollars and forty cents, in the month of August, 1817.

Mr. Stanly presented a resolution adopted by the General Assembly of the State of North Carolina, requesting the Senators and Representatives from that State, in Congress, to use their best endeavors to have a law passed directing the coinage of small change at the branch mint at Charlotte, in said State.

Mr. Harrison presented a memorial of the Mayor and Board of Aldermen of the city of St. Louis, in the State of Missouri, praying that an additional appropriation may be made for the improvement of the harbor of said city.

Mr. Miller presented a like memorial of the Mayor and Board of Aldermen of the city of St. Louis, in the State of Missouri.

Mr. Ewing presented a memorial and joint resolution of the General Assembly of the State of Indiana, praying that an appropriation may be made sufficient for the completion of the Cumberland or National road through the whole of said State.

Mr. Yell presented two resolutions of the General Assembly of the State of Arkansas: the first instructing the Senators and requesting the Representatives of that State, in Congress, to procure an appropriation of a sum of money sufficient for the removal of snags, rafts, and other obstructions in the Arkansas river, from its mouth to Fort Smith; the other, instructing the Senators and requesting the Representatives of that State, in Congress, to procure, if practicable, the passage of a law to authorize the State of Arkansas to elect two members to the House of Representatives of the United States, in the year 1840.

Ordered, That said petitions and resolutions be referred to the Committee of Ways and Means.

On motion of Mr. Cambreleng,

Ordered, That the petition of Henry J. Pickering, presented December 12, 1837, be referred to the Committee of Ways and Means.

Mr. Bouldin presented a memorial of the Friendship Fire Company, of Alexandria, in the District of Columbia, praying Congress to appropriate three thousand dollars to be applied in the purchase of a fire-engine and other apparatus for the use of said company.

Mr. William Cost Johnson presented a petition of citizens of Georgetown, in the District of Columbia, praying Congress to recede to the State of Maryland that portion of the District of Columbia which lies west of Rock creek.

Mr. Goode presented a memorial of J. W. Scott, praying Congress to pass an act to remove the seat of Government of the United States to

such place on the north bank of the river Ohio as Congress in its wisdom may select, and which the State in which it lies may be willing to cede unconditionally to the jurisdiction and control of Congress.

Ordered, That said memorials and petition be referred to the Committee for the District of Columbia.

Memorials were presented, praying Congress to recognise in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti, as follows, to wit:

By Mr. Slade: Of inhabitants of Marshfield, in the State of Vermont;
 Of inhabitants of Danville, in the State of Vermont;
 Of citizens of Acton, in the State of Massachusetts;
 Of inhabitants of Washington, in the State of Connecticut;
 Of inhabitants of Newmarket, in the State of New Hampshire;
 Of inhabitants of Harwinton, in the State of Connecticut;
 Of inhabitants of Cornwall, in the State of Vermont;
 Of inhabitants of Chester, in the State of Vermont;
 Of inhabitants of Danville, in the State of Vermont;
 Of inhabitants of Mount Tabor, in the State of Vermont;
 Of inhabitants of Salisbury, in the State of Vermont;
 Of inhabitants of Landgrove, in the State of Vermont;
 Of inhabitants of Fairfax, in the State of Vermont;
 Of inhabitants of Granville, in the State of Vermont;
 Of inhabitants of Londonderry, in the State of Vermont;
 Of inhabitants of Hardwick, in the State of Vermont;
 Of inhabitants of Windham, in the State of Vermont;
 Of inhabitants of Westmoreland, in the State of Vermont;
 Of inhabitants of Mount Holly, in the State of Vermont;
 Of inhabitants of Chelsea, in the State of Vermont;
 Of inhabitants of Ludlow, in the State of Vermont;
 Of inhabitants of Randolph, in the State of Vermont;
 Of inhabitants of Panton and its vicinity, in the State of Vermont;
 Of inhabitants of Addison, in the State of Vermont.
 By Mr. Everett: Of inhabitants of Woodstock, in the State of Vermont;
 Of inhabitants of Royalton, in the State of Vermont.
 By Mr. Giddings: Of inhabitants of Vienna, in the State of Ohio;
 Of inhabitants of Bloomfield, in the State of Ohio;
 Of inhabitants of Hubbard, in the State of Ohio;
 Of citizens of Austintown, in the State of Ohio;
 Of citizens of Youngstown, in the State of Ohio;
 Of citizens of Lordstown, in the State of Ohio;
 Of citizens of Liberty township, in the State of Ohio;
 Two memorials of citizens of Johnstown, in the State of Ohio;
 Of inhabitants of Greene, in the State of Ohio;
 Of inhabitants of Mesopotamia, in the State of Ohio;
 Of inhabitants of Bazetta, in the State of Ohio;
 Of citizens of Harmony, in the State of New York;
 Of inhabitants of Fayette county, in the State of Ohio;
 By Mr. Alexander: Of citizens of Belmont county, in the State of Ohio.
 By Mr. Peck: Of citizens of Livonia, in the State of New York.

Ordered, That the said memorials be referred to the Committee on Foreign Affairs.

Memorials praying for the abolition of slavery and the slave trade in

the District of Columbia, or in the District of Columbia and in the Territories of the United States, were presented as follows, to wit:

By Mr. Potts: Seven memorials of inhabitants of Chester county, in the State of Pennsylvania;

Of inhabitants of Montgomery county, in Pennsylvania;

Of citizens of Philadelphia and of Bucks county, in the State of Pennsylvania;

Of inhabitants of the city of Philadelphia;

Of inhabitants of Lancaster county, in the State of Pennsylvania;

Of inhabitants of Bucks county, in the State of Pennsylvania.

By Mr. Everett: Of inhabitants of Windsor, in the State of Vermont;

Of inhabitants of Royalton, in the State of Vermont.

By Mr. Giddings: Of inhabitants of Fayette county, in the State of Ohio;

Two memorials of citizens of Ashtabula county, in the State of Ohio;

Of citizens of the town of Franklin, in the State of Ohio.

By Mr. Ridgway: Of inhabitants of Delaware county, in the State of Ohio.

By Mr. Sheffer: Of citizens of the county of Bucks, in the State of Pennsylvania;

Three memorials of women of Bucks county, in the State of Pennsylvania;

Of women of Wrightstown, in the State of Pennsylvania.

By Mr. J. W. Allen: Two petitions of inhabitants of the town of Medina, in the State of Ohio;

Of inhabitants of Strongsville, in the State of Ohio;

Of inhabitants of Brooklyn, in the State of Ohio;

Of inhabitants of Westfield, in the State of Ohio.

By Mr. Harper: Of citizens of Hartford and its vicinity, in the State of Ohio.

By Mr. Chaney: Of citizens of the State of Ohio.

By Mr. Alexander: Of citizens of Guernsey county, in the State of Ohio.

By Mr. Mason, of Ohio: Of citizens of Champaign county, in the State of Ohio.

By Mr. Duncan: Of citizens of the State of Ohio.

By Mr. McKennan: Two memorials of citizens of the county of Washington, in the State of Pennsylvania.

By Mr. Sheffer: Three memorials of citizens of Adams county, in the State of Pennsylvania.

By Mr. Henry: Of citizens of Beaver county, in the State of Pennsylvania.

By Mr. Putnam: Of women of the town of China, in Geneva county, in the State of New York;

Of inhabitants of China, in the State of New York.

By Mr. Sheffer: Of sixty women of Adams county, in the State of Pennsylvania.

By Mr. Stratton: Of citizens of the State of New Jersey.

By Mr. Rariden: Of citizens of the State of Indiana.

By Mr. Graham, of Indiana: Of citizens of Clarke county, in the State of Indiana;

Of citizens of Jefferson county, in the State of Indiana;

Of free colored people of Jefferson county, in the State of Indiana.

By Mr. Swearingen: Of citizens of Jefferson county, in the State of Ohio.

By Mr. Naylor: Of legal voters of Montgomery county, in the State of Pennsylvania;

Of inhabitants of Bradford county, in the State of Pennsylvania;

Of inhabitants of Lycoming county, in the State of Pennsylvania;

Of women of the county of Philadelphia.

By Mr. Slade: Of citizens of Hamilton county, in the State of Ohio.

By Mr. Bond: Of citizens of Brown county, in the State of Ohio.

By Mr. Harper: Of citizens of Carroll county, in the State of Ohio.

By Mr. Sibley: Of females of Fayette, in the State of Maine.

These memorials, as presented, were laid on the table, under the order of the 12th of December last.

Memorials praying for the abolition of slavery in the District of Columbia and the Territories, and to prohibit the slave trade between the States, were presented as follows, to wit:

By Mr. Slade: Two memorials of inhabitants of Dudley, in the State of Vermont;

Two memorials of inhabitants of Lunenburg, in the State of Vermont;

Of inhabitants of New Market, in the State of New Hampshire;

Of inhabitants of Walden, in the State of Vermont;

Of inhabitants of Macedon, in the State of New York;

Three memorials of inhabitants of the county of Cayuga, in the State of New York;

Of inhabitants of Acton, in the State of Massachusetts;

Two memorials of inhabitants of Fulton, in the State of New York;

Of inhabitants of Oneida county, in the State of New York;

Of inhabitants of Fabius, in the State of New York;

Of inhabitants of Lawrence, in the State of New York;

Of inhabitants of Champlain, in the State of New York;

Of inhabitants of Chazy, in the State of New York;

Of inhabitants of Plattsburg, in the State of New York;

Of inhabitants of Peru, in the State of New York;

Of citizens of Clinton county, in the State of New York;

Of inhabitants of Dudley, in the State of Vermont;

Of inhabitants of Brookfield, in the State of Connecticut;

Of inhabitants of Washington, in the State of Connecticut;

Of inhabitants of Chester, in the State of Vermont;

Of inhabitants of Guilford, Halifax, and Vernon, in the State of Vermont;

Of inhabitants of Buckingham, in the State of Vermont;

Of inhabitants of Landgrove, in the State of Vermont;

Of inhabitants of Rupert, in the State of Vermont;

Of inhabitants of Topsham, in the State of Vermont;

Of inhabitants of Rochester, in the State of Vermont;

Of inhabitants of Fairfax, in the State of Vermont;

Of inhabitants of Salisbury, in the State of Vermont;

Of inhabitants of Granville, in the State of Vermont;

Of inhabitants of Panton and vicinity, in the State of Vermont;

Of inhabitants of Addison, in the State of Vermont;

Of inhabitants of Mount Holly, in the State of Vermont;

Of inhabitants of Cornwall, in the State of Vermont;

Of inhabitants of Chelsea, in the State of Vermont ;
Of inhabitants of Marshfield, in the State of Vermont ;
Of inhabitants of Elmore, in the State of Vermont ;
Of inhabitants of Mount Tabor, in the State of Vermont ;
Of inhabitants of Lemington, in the State of Vermont ;
Of inhabitants of the east part of Berkshire, in the State of Vermont ;
Of inhabitants of Warren, in the State of Vermont ;
Two memorials of inhabitants of Danville, in the State of Vermont ;
Of inhabitants of Orwell, in the State of Vermont.

By Mr. Potts: Of legal voters of High-street ward, in the city of Philadelphia.

By Mr. Giddings: Of inhabitants of Greene county, in the State of Ohio ;

Of citizens of Portage county, in the State of Ohio ;
Of inhabitants of Mesopotamia, in the State of Ohio ;
Of inhabitants of Bazetta, in the State of Ohio ;
Of inhabitants of Poland township, in the State of Ohio ;
Of inhabitants of the township of Hubbard, in the State of Ohio ;
Of citizens of Austintown, in the State of Ohio ;
Of inhabitants of Vienna, in the State of Ohio ;
Of inhabitants of Lordstown, in the State of Ohio ;
Of inhabitants of Hartford, in the State of Ohio ;
Of citizens of Liberty township, in the State of Ohio ;
Of inhabitants of Bloomfield, in the State of Ohio ;
Of citizens of Youngstown, in the State of Ohio.

By Mr. Sheffer: Of citizens of Bucks county, in the State of Pennsylvania.

By Mr. Marvin: Two memorials of inhabitants of the county of Cataraugus, in the State of New York ;

Of citizens of Chautauque county, in the State of New York ;
Of inhabitants of the town of Olean, in the State of New York ;
Two memorials of inhabitants of Otto, in the State of New York.

By Mr. Clark: Of citizens of Linklaen, in the county of Chenango, in the State of New York.

By Mr. Loomis: Of citizens of Herkimer county, in the State of New York.

By Mr. Grant: Of inhabitants of Kirkland, in the State of New York.

By Mr. Toland: Of citizens of Philadelphia, in the State of Pennsylvania ;

Of citizens of Philadelphia city and county.

By Mr. Childs: Of women of the town of Ogden, in the State of New York ;

Of citizens of Monroe county, in the State of New York ;
Of citizens of Clarkson, in the State of New York ;
Of citizens of Rochester, in the State of New York ;
Of inhabitants of Riga, in the county of Monroe, New York.

By Mr. Henry: Two petitions of citizens of Butler and Beaver counties, in the State of Pennsylvania.

By Mr. Toland: Of citizens of Chestnut ward, in the city of Philadelphia, in the State of Pennsylvania ;

Of women of Philadelphia, in the State of Pennsylvania ;

such place on the north bank of the river Ohio as Congress in its wisdom may select, and which the State in which it lies may be willing to cede unconditionally to the jurisdiction and control of Congress.

Ordered, That said memorials and petition be referred to the Committee for the District of Columbia.

Memorials were presented, praying Congress to recognise in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti, as follows, to wit:

By Mr. Slade: Of inhabitants of Marshfield, in the State of Vermont;

Of inhabitants of Danville, in the State of Vermont;

Of citizens of Acton, in the State of Massachusetts;

Of inhabitants of Washington, in the State of Connecticut;

Of inhabitants of Newmarket, in the State of New Hampshire;

Of inhabitants of Harwinton, in the State of Connecticut;

Of inhabitants of Cornwall, in the State of Vermont;

Of inhabitants of Chester, in the State of Vermont;

Of inhabitants of Danville, in the State of Vermont;

Of inhabitants of Mount Tabor, in the State of Vermont;

Of inhabitants of Salisbury, in the State of Vermont;

Of inhabitants of Landgrove, in the State of Vermont;

Of inhabitants of Fairfax, in the State of Vermont;

Of inhabitants of Granville, in the State of Vermont;

Of inhabitants of Londonderry, in the State of Vermont;

Of inhabitants of Hardwick, in the State of Vermont;

Of inhabitants of Windham, in the State of Vermont;

Of inhabitants of Westmoreland, in the State of Vermont;

Of inhabitants of Mount Holly, in the State of Vermont;

Of inhabitants of Chelsea, in the State of Vermont;

Of inhabitants of Ludlow, in the State of Vermont;

Of inhabitants of Randolph, in the State of Vermont;

Of inhabitants of Panton and its vicinity, in the State of Vermont;

Of inhabitants of Addison, in the State of Vermont.

By Mr. Everett: Of inhabitants of Woodstock, in the State of Vermont;

Of inhabitants of Royalton, in the State of Vermont.

By Mr. Giddings: Of inhabitants of Vienna, in the State of Ohio;

Of inhabitants of Bloomfield, in the State of Ohio;

Of inhabitants of Hubbard, in the State of Ohio;

Of citizens of Austintown, in the State of Ohio;

Of citizens of Youngstown, in the State of Ohio;

Of citizens of Lordstown, in the State of Ohio;

Of citizens of Liberty township, in the State of Ohio;

Two memorials of citizens of Johnstown, in the State of Ohio;

Of inhabitants of Greene, in the State of Ohio;

Of inhabitants of Mesopotamia, in the State of Ohio;

Of inhabitants of Bazetta, in the State of Ohio;

Of citizens of Harmony, in the State of New York;

Of inhabitants of Fayette county, in the State of Ohio;

By Mr. Alexander: Of citizens of Belmont county, in the State of Ohio.

By Mr. Peck: Of citizens of Livonia, in the State of New York.

Ordered, That the said memorials be referred to the Committee on Foreign Affairs.

Memorials praying for the abolition of slavery and the slave trade in

the District of Columbia, or in the District of Columbia and in the Territories of the United States, were presented as follows, to wit:

By Mr. Potts: Seven memorials of inhabitants of Chester county, in the State of Pennsylvania;

Of inhabitants of Montgomery county, in Pennsylvania;

Of citizens of Philadelphia and of Bucks county, in the State of Pennsylvania;

Of inhabitants of the city of Philadelphia;

Of inhabitants of Lancaster county, in the State of Pennsylvania;

Of inhabitants of Bucks county, in the State of Pennsylvania.

By Mr. Everett: Of inhabitants of Windsor, in the State of Vermont;

Of inhabitants of Royalton, in the State of Vermont.

By Mr. Giddings: Of inhabitants of Fayette county, in the State of Ohio;

Two memorials of citizens of Ashtabula county, in the State of Ohio;

Of citizens of the town of Franklin, in the State of Ohio.

By Mr. Ridgway: Of inhabitants of Delaware county, in the State of Ohio.

By Mr. Sheffer: Of citizens of the county of Bucks, in the State of Pennsylvania;

Three memorials of women of Bucks county, in the State of Pennsylvania;

Of women of Wrightstown, in the State of Pennsylvania.

By Mr. J. W. Allen: Two petitions of inhabitants of the town of Medina, in the State of Ohio;

Of inhabitants of Strongsville, in the State of Ohio;

Of inhabitants of Brooklyn, in the State of Ohio;

Of inhabitants of Westfield, in the State of Ohio.

By Mr. Harper: Of citizens of Hartford and its vicinity, in the State of Ohio.

By Mr. Chaney: Of citizens of the State of Ohio.

By Mr. Alexander: Of citizens of Guernsey county, in the State of Ohio.

By Mr. Mason, of Ohio: Of citizens of Champaign county, in the State of Ohio.

By Mr. Duncan: Of citizens of the State of Ohio.

By Mr. McKennan: Two memorials of citizens of the county of Washington, in the State of Pennsylvania.

By Mr. Sheffer: Three memorials of citizens of Adams county, in the State of Pennsylvania.

By Mr. Henry: Of citizens of Beaver county, in the State of Pennsylvania.

By Mr. Putnam: Of women of the town of China, in Geneva county, in the State of New York;

Of inhabitants of China, in the State of New York.

By Mr. Sheffer: Of sixty women of Adams county, in the State of Pennsylvania.

By Mr. Stratton: Of citizens of the State of New Jersey.

By Mr. Rariden: Of citizens of the State of Indiana.

By Mr. Graham, of Indiana: Of citizens of Clarke county, in the State of Indiana;

Of citizens of Jefferson county, in the State of Indiana;

Of free colored people of Jefferson county, in the State of Indiana.

By Mr. Swearingen : Of citizens of Jefferson county, in the State of Ohio.

By Mr. Naylor : Of legal voters of Montgomery county, in the State of Pennsylvania ;

Of inhabitants of Bradford county, in the State of Pennsylvania ;

Of inhabitants of Lycoming county, in the State of Pennsylvania ;

Of women of the county of Philadelphia.

By Mr. Slade : Of citizens of Hamilton county, in the State of Ohio.

By Mr. Bond : Of citizens of Brown county, in the State of Ohio.

By Mr. Harper : Of citizens of Carroll county, in the State of Ohio.

By Mr. Sibley : Of females of Fayette, in the State of Maine.

These memorials, as presented, were laid on the table, under the order of the 12th of December last.

Memorials praying for the abolition of slavery in the District of Columbia and the Territories, and to prohibit the slave trade between the States, were presented as follows, to wit :

By Mr. Slade : Two memorials of inhabitants of Dudley, in the State of Vermont ;

Two memorials of inhabitants of Lunenburg, in the State of Vermont ;

Of inhabitants of New Market, in the State of New Hampshire ;

Of inhabitants of Walden, in the State of Vermont ;

Of inhabitants of Macedon, in the State of New York ;

Three memorials of inhabitants of the county of Cayuga, in the State of New York ;

Of inhabitants of Acton, in the State of Massachusetts ;

Two memorials of inhabitants of Fulton, in the State of New York ;

Of inhabitants of Oneida county, in the State of New York ;

Of inhabitants of Fabius, in the State of New York ;

Of inhabitants of Lawrence, in the State of New York ;

Of inhabitants of Champlain, in the State of New York ;

Of inhabitants of Chazy, in the State of New York ;

Of inhabitants of Plattsburg, in the State of New York ;

Of inhabitants of Peru, in the State of New York ;

Of citizens of Clinton county, in the State of New York ;

Of inhabitants of Dudley, in the State of Vermont ;

Of inhabitants of Brookfield, in the State of Connecticut ;

Of inhabitants of Washington, in the State of Connecticut ;

Of inhabitants of Chester, in the State of Vermont ;

Of inhabitants of Guilford, Halifax, and Vernon, in the State of Vermont ;

Of inhabitants of Buckingham, in the State of Vermont ;

Of inhabitants of Landgrove, in the State of Vermont ;

Of inhabitants of Rupert, in the State of Vermont ;

Of inhabitants of Topsham, in the State of Vermont ;

Of inhabitants of Rochester, in the State of Vermont ;

Of inhabitants of Fairfax, in the State of Vermont ;

Of inhabitants of Salisbury, in the State of Vermont ;

Of inhabitants of Granville, in the State of Vermont ;

Of inhabitants of Panton and vicinity, in the State of Vermont ;

Of inhabitants of Addison, in the State of Vermont ;

Of inhabitants of Mount Holly, in the State of Vermont ;

Of inhabitants of Cornwall, in the State of Vermont ;

Of inhabitants of Chelsea, in the State of Vermont ;
Of inhabitants of Marshfield, in the State of Vermont ;
Of inhabitants of Elmore, in the State of Vermont ;
Of inhabitants of Mount Tabor, in the State of Vermont ;
Of inhabitants of Lemington, in the State of Vermont ;
Of inhabitants of the east part of Berkshire, in the State of Vermont ;
Of inhabitants of Warren, in the State of Vermont ;
Two memorials of inhabitants of Danville, in the State of Vermont ;
Of inhabitants of Orwell, in the State of Vermont.

By Mr. Potts: Of legal voters of High-street ward, in the city of Philadelphia.

By Mr. Giddings: Of inhabitants of Greene county, in the State of Ohio ;

Of citizens of Portage county, in the State of Ohio ;
Of inhabitants of Mesopotamia, in the State of Ohio ;
Of inhabitants of Bazetta, in the State of Ohio ;
Of inhabitants of Poland township, in the State of Ohio ;
Of inhabitants of the township of Hubbard, in the State of Ohio ;
Of citizens of Austintown, in the State of Ohio ;
Of inhabitants of Vienna, in the State of Ohio ;
Of inhabitants of Lordstown, in the State of Ohio ;
Of inhabitants of Hartford, in the State of Ohio ;
Of citizens of Liberty township, in the State of Ohio ;
Of inhabitants of Bloomfield, in the State of Ohio ;
Of citizens of Youngstown, in the State of Ohio.

By Mr. Sheffer: Of citizens of Bucks county, in the State of Pennsylvania.

By Mr. Marvin: Two memorials of inhabitants of the county of Cataraugus, in the State of New York ;

Of citizens of Chautauque county, in the State of New York ;
Of inhabitants of the town of Olean, in the State of New York ;
Two memorials of inhabitants of Otto, in the State of New York.

By Mr. Clark: Of citizens of Linklaen, in the county of Chenango, in the State of New York.

By Mr. Loomis: Of citizens of Herkimer county, in the State of New York.

By Mr. Grant: Of inhabitants of Kirkland, in the State of New York.

By Mr. Toland: Of citizens of Philadelphia, in the State of Pennsylvania ;

Of citizens of Philadelphia city and county.

By Mr. Childs: Of women of the town of Ogden, in the State of New York ;

Of citizens of Monroe county, in the State of New York ;
Of citizens of Clarkson, in the State of New York ;
Of citizens of Rochester, in the State of New York ;
Of inhabitants of Riga, in the county of Monroe, New York.

By Mr. Henry: Two petitions of citizens of Butler and Beaver counties, in the State of Pennsylvania.

By Mr. Toland: Of citizens of Chestnut ward, in the city of Philadelphia, in the State of Pennsylvania ;

Of women of Philadelphia, in the State of Pennsylvania ;

Of Lucretia Mott and 3,339 others, women of Philadelphia, in the State of Pennsylvania.

By Mr. Heman Allen : Of citizens of St. Alban's, in the State of Vermont.

By Mr. Birdsall : Of ladies of Waterloo, in the State of New York ;
Two memorials of inhabitants of the county of Seneca, in the State of New York ;

Of citizens of the town of Watertown, in the State of New York.

By Mr. Taylor : Of inhabitants of the town of Lafayette, in the State of New York.

By Mr. Halsted : Of citizens of Gloucester county, in the State of New Jersey.

By Mr. Putnam : Of inhabitants of Java, Genesee county, in the State of New York.

By Mr. Sergeant : Of members of the association of Friends, in the city of Philadelphia ;

Of citizens of the city of Philadelphia ;

Of Jasper Cope and others, citizens of Philadelphia.

By Mr. Bronson : Of inhabitants of Smithville, in the State of New York.

By Mr. Mitchell : Of citizens of Niagara county, in the State of New York.

By Mr. Spencer : Of inhabitants of Bombay, New York.

These memorials, as presented, were laid on the table, under the order of the 12th of December last.

Memorials praying that commerce be so regulated among the several States as that the traffic in slaves may be immediately abolished, were presented as follows, to wit :

By Mr. Graham, of Indiana : Two petitions of inhabitants of Jefferson county, in the State of Indiana ;

Of citizens of Clarke county, in the State of Indiana.

By Mr. Naylor : Of women of the county of Philadelphia, in the State of Pennsylvania ;

Of women of Montgomery county, in the State of Pennsylvania.

By Mr. Swearingen : Of citizens of Jefferson county, in the State of Ohio.

By Mr. Naylor : Of legal voters of the county of Montgomery, in the State of Pennsylvania.

By Mr. Slade : Of citizens of Hamilton county, in the State of Ohio.

By Mr. Giddings : Two petitions of citizens of Cincinnati, in the State of Ohio.

By Mr. Sheffer : Of citizens of Bucks county, in the State of Pennsylvania.

By Mr. Putnam : Of citizens of the town of Java, in the State of New York ;

Of citizens of China, in the State of New York.

By Mr. John W. Allen : Of citizens of Strongsville, in the State of Ohio.

By Mr. McKennan : Of citizens of the county of Washington, in the State of Pennsylvania ;

By Mr. Sheffer : Of citizens of the township of Wrightstown, in the State of Pennsylvania ;

Of women of Bucks county, in the State of Pennsylvania.

By Mr. Potts : Of women of Providence township, Montgomery county, in the State of Pennsylvania ;

Three memorials of women of Chester county, in the State of Pennsylvania ;

Of inhabitants of Chester county, in the State of Pennsylvania ;

Of women of Bucks county, in the State of Pennsylvania.

By Mr. Giddings : Of citizens of Ashtabula county, in the State of Ohio ;

Of citizens of the town of Hudson, in the State of Ohio ;

Of inhabitants of Richmond, in the State of Ohio ;

Of women of Ashtabula county, in the State of Ohio.

By Mr. Sibley : Of inhabitants of Richmond and its vicinity, in the State of New York ;

Of inhabitants of Farmington, in the State of New York.

By Mr. Sheplor : Of citizens of Stark county, Ohio ;

Of citizens of Marlborough, in the State of Ohio.

By Mr. Peck : Two memorials of citizens of Allegany county, in the State of New York ;

Of inhabitants of Livonia, in the State of New York.

By Mr. Russell : Of inhabitants of the county of St. Lawrence, in the State of New York ;

Of citizens of Potsdam, in the State of New York ;

Of women of Mechanicsville, in the State of New York ;

Of inhabitants of Mechanicsville, in the State of New York.

By Mr. Whittlesey : Of citizens of Westport, in the State of Connecticut ;

Of citizens of Salisbury, in the State of Connecticut.

By Mr. Bond : Of women of the State of Ohio ;

Of women of the county of Jackson, in the State of Ohio.

By Mr. Swearingen : Of legal voters of Short creek, Harrison county, in the State of Ohio.

By Mr. Naylor : Of legal voters of Bristol, Bucks county, in the State of Pennsylvania ;

Three memorials of citizens of Philadelphia, in the State of Pennsylvania ;

Of citizens of Bustletown, in the county of Philadelphia and State of Pennsylvania ;

Of youths of the city and county of Philadelphia, in the State of Pennsylvania ;

Of citizens of Philadelphia, in the State of Pennsylvania ;

Of citizens of Bradford county, in the State of Pennsylvania ;

Of inhabitants of Frankford, in the county of Philadelphia and State of Pennsylvania.

By Mr. Slade : Of inhabitants of Harwinton, in the State of Connecticut.

By Mr. Childs : Of females of the town of Riga, in the State of New York

By Mr. Sibley : Of citizens of Hallowell, in the State of Maine ;

Of citizens of Wayne, in the county of Kennebec and State of Maine ;

Of citizens of North Yarmouth, in the State of Maine ;

Of inhabitants of Waterville, in the State of Maine ;

Of legal voters of Bloomfield, in the State of Maine ;
Of citizens of Gardiner, in the State of Maine.

These memorials, as presented, were laid on the table, under the order of the 12th of December last.

Memorials praying that no new State be admitted into the Union whose constitution tolerates domestic slavery, and that all proposals for the annexation of Texas to this Union be rejected, were presented as follows, to wit :

By Mr. Slade : Of inhabitants of Macedon, New York ;
Of inhabitants of Fulton, in the State of New York ;
Of inhabitants of Fabius, in the State of New York ;
Of inhabitants of Oneida county, in the State of New York ;
Of inhabitants of Lawrence county, in the State of New York ;
Of inhabitants of Champlain, in the State of New York ;
Of inhabitants of Chazey, in the State of New York ;
Of inhabitants of Peru, in the State of New York ;
Of citizens of Clinton county, in the State of New York ;
Of inhabitants of Oswego county, in the State of New York ;
Of inhabitants of Brookfield, in the State of Connecticut ;
Of inhabitants of Litchfield, in the State of Connecticut ;
Of inhabitants of Harwinton, in the State of Connecticut ;
Of inhabitants of Acton, in the State of Massachusetts ;
Of inhabitants of Mount Holly, in the State of Vermont ;
Three memorials of inhabitants of Brandon, in the State of Vermont ;
Of freemen of Orwell, in the State of Vermont ;
Of inhabitants of Landgrove, in the State of Vermont ;
Of inhabitants of New Market, in the State of New Hampshire ;
Of inhabitants of Chester, in the State of Vermont ;
Of inhabitants of Fairfax, in the State of Vermont ;
Of inhabitants of Granville, in the State of Vermont ;
Of inhabitants of Plattsburg, in the State of New York ;
Of inhabitants of Peru, in the State of New York ;
Of inhabitants of Cornwall, in the State of Vermont ;
Of inhabitants of Panton and vicinity, in the State of Vermont ;
Of inhabitants of Addison, in the State of Vermont ;
Of inhabitants of Mount Tabor, in the State of Vermont ;
Of inhabitants of Chelsea, in the State of Vermont ;
Of citizens of Marshfield, in the State of Vermont ;
Of citizens of Salisbury, in the State of Vermont ;
Of inhabitants of Lemington, in the State of Vermont ;
Of inhabitants of Danville, in the State of Vermont.
By Mr. Everett : Of citizens of Royalton, in the State of Vermont ;
Of inhabitants of Woodstock, in the State of Vermont.
By Mr. Giddings : Of citizens of Liberty township, in the State of Ohio ;
Two petitions of citizens of Austintown, in the State of Ohio ;
Of inhabitants of Bazetta, in the State of Ohio ;
Of citizens of Lordstown, in the State of Ohio ;
Of inhabitants of Mesopotamia, in the State of Ohio ;
Of inhabitants of Portage county, in the State of Ohio ;
Of inhabitants of Vienna, in the State of Ohio ;
Of citizens of Longstown, in the State of Ohio ;
Of citizens of Harmony, in the State of New York ;

By Mr. Potts : Two memorials of inhabitants of Chester county, in the State of Pennsylvania.

By Mr. Henry : Of citizens of Beaver and Butler counties, in the State of Pennsylvania.

By Mr. Putnam : Of inhabitants of the town of Java, in the State of New York ;

Of inhabitants of China, in Geneva county, in the State of New York.

By Mr. Naylor : Of inhabitants of Bradford county, in the State of Pennsylvania.

By Mr. Giddings : Of citizens of Ashtabula county, in the State of Ohio ;

Of women of Ashtabula county, in the State of Ohio.

These memorials, as presented, were laid on the table, under the order of the House of the 12th of December last.

Mr. Bond presented two memorials from inhabitants of Ross county, in the State of Ohio, praying Congress to discountenance all petitions for the abolition of slavery in the District of Columbia, and to reject the same.

Mr. John W. Allen presented a memorial of the inhabitants of Medina, in the State of Ohio, praying Congress to repeal all laws for the apprehension and delivery of fugitive slaves.

These memorials, as presented, were laid on the table, under the order of the House of the 12th of December last.

Memorials praying Congress to abolish slavery in the District of Columbia and in the Territories, to put a stop to the inter-State slave trade, and to admit no new State into the Union whose constitution tolerates slavery, were presented as follows, to wit :

By Mr. Henry : Of inhabitants of Mercer county, in the State of Pennsylvania.

By Mr. Giddings : Of inhabitants of Reserve township, Allegany county, in the State of Pennsylvania.

By Mr. Sheplor : Of inhabitants of Stark county, in the State of Ohio.

By Mr. Giddings : Of inhabitants of Allegany county, in the State of Pennsylvania.

By Mr. Henry : Of inhabitants of Beaver county, in the State of Pennsylvania.

By Mr. Slade : Of inhabitants of Wilmington, in the State of Vermont ;

Of legal voters of Strafford, in the State of Vermont.

These memorials, as presented, were laid on the table, under the order of the House of the 12th of December last.

Mr. Slade presented a memorial of residents of the township of Sylvan, in the county of Washington and State of Michigan, praying Congress to abolish slavery in the District of Columbia and in the Territories of the United States, to prohibit the slave trade between the several States, and to recognise the independence of Hayti.

Mr. William Graham presented a petition from inhabitants of Scott and Jefferson counties, in the State of Indiana, praying Congress to abolish slavery and the slave trade in the District of Columbia ; to abolish the traffic in slaves between the several States ; to admit no new State into the Union whose constitution tolerates domestic slavery ; and to reject all applications for the annexation of Texas.

These two petitions were laid on the table, under the order of the House of the 12th of December last.

By Mr. Stratton : Of citizens of Gloucester county, in the State of New Jersey.

By Mr. Sibley : Of citizens of Richmond and its vicinity, in the State of New York ;

Of females of the town of Farmington, in the State of New York.

By Mr. Russell : Of citizens of Herkimer county, in the State of New York.

By Mr. Peck : Of citizens of Livonia, in the State of New York ;

Of citizens of Allegany, in the State of New York.

By Mr. Russell : Of inhabitants of Mechanicsville, in the State of New York ;

Of inhabitants of the county of Herkimer, in the State of New York ;

Of inhabitants of the town of Potsdam, in the State of New York.

By Mr. Whittlesey : Of citizens of Westport, in the State of Connecticut.

By Mr. Herod : Of citizens of Cass county, in the State of Indiana.

By Mr. William Graham : Of citizens of Clarke county, in the State of Indiana ;

Of free colored people of Jefferson county, in the State of Indiana ;

Of citizens of Jefferson county, in the State of Indiana.

By Mr. Swearingen : Of citizens of Jefferson county, in the State of Ohio.

By Mr. Naylor : Of legal voters of Montgomery county, in the State of Pennsylvania ;

Of citizens of Bustletown, in the county of Philadelphia, State of Pennsylvania ;

Four memorials of citizens of the city of Philadelphia, in the State of Pennsylvania ;

Of inhabitants of the county of Philadelphia, in the State of Pennsylvania ;

Two memorials of inhabitants of Germantown, in the county of Philadelphia and State of Pennsylvania ;

Of inhabitants of Frankford, in the county of Philadelphia and State of Pennsylvania ;

Of women of the county of Philadelphia ;

Of citizens of Bradford county, in the State of Pennsylvania.

By Mr. Slade : Of inhabitants of Tompkins county, New York.

By Mr. Sibley : Of citizens of Hallowell, in the State of Maine ;

Of citizens of Brunswick, in the State of Maine ;

Of citizens of Gardiner, in the State of Maine ;

Of citizens of Wayne, in the State of Maine ;

Of citizens of North Yarmouth, in the State of Maine ;

Of citizens of Waterville, in the State of Maine ;

Of legal voters of Bloomfield, in the State of Maine.

These memorials, as presented, were laid on the table, under the order of the 12th of December last.

Memorials praying that no new State be admitted into this Union whose constitution tolerates domestic slavery were presented as follows to wit :

By Mr. Slade : Three memorials of inhabitants of Cincinnati, Ohio :

Of inhabitants of Hamilton county, in the State of Ohio.

By Mr. Potts : Two memorials of inhabitants of Chester county, in the State of Pennsylvania.

By Mr. Henry : Of citizens of Beaver and Butler counties, in the State of Pennsylvania.

By Mr. Putnam : Of inhabitants of the town of Java, in the State of New York ;

Of inhabitants of China, in Geneva county, in the State of New York.

By Mr. Naylor : Of inhabitants of Bradford county, in the State of Pennsylvania.

By Mr. Giddings : Of citizens of Ashtabula county, in the State of Ohio ;

Of women of Ashtabula county, in the State of Ohio.

These memorials, as presented, were laid on the table, under the order of the House of the 12th of December last.

Mr. Bond presented two memorials from inhabitants of Ross county, in the State of Ohio, praying Congress to discountenance all petitions for the abolition of slavery in the District of Columbia, and to reject the same.

Mr. John W. Allen presented a memorial of the inhabitants of Medina, in the State of Ohio, praying Congress to repeal all laws for the apprehension and delivery of fugitive slaves.

These memorials, as presented, were laid on the table, under the order of the House of the 12th of December last.

Memorials praying Congress to abolish slavery in the District of Columbia and in the Territories, to put a stop to the inter-State slave trade, and to admit no new State into the Union whose constitution tolerates slavery, were presented as follows, to wit :

By Mr. Henry : Of inhabitants of Mercer county, in the State of Pennsylvania.

By Mr. Giddings : Of inhabitants of Reserve township, Allegany county, in the State of Pennsylvania.

By Mr. Shepler : Of inhabitants of Stark county, in the State of Ohio.

By Mr. Giddings : Of inhabitants of Allegany county, in the State of Pennsylvania.

By Mr. Henry : Of inhabitants of Beaver county, in the State of Pennsylvania.

By Mr. Slade : Of inhabitants of Wilmington, in the State of Vermont ; Of legal voters of Strafford, in the State of Vermont.

These memorials, as presented, were laid on the table, under the order of the House of the 12th of December last.

Mr. Slade presented a memorial of residents of the township of Sylran, in the county of Washington and State of Michigan, praying Congress to abolish slavery in the District of Columbia and in the Territories of the United States, to prohibit the slave trade between the several States, and to recognise the independence of Hayti.

Mr. William Graham presented a petition from inhabitants of Scott and Jefferson counties, in the State of Indiana, praying Congress to abolish slavery and the slave trade in the District of Columbia ; to abolish the traffic in slaves between the several States ; to admit no new State into the Union whose constitution tolerates domestic slavery ; and to reject all applications for the annexation of Texas.

These two petitions were laid on the table, under the order of the House of the 12th of December last.

Memorials praying that all proposals for the annexation of Texas to the Union may be rejected, were presented as follows, to wit :

By Mr. Giddings : Of inhabitants of Ashtabula county, in the State of Ohio.

By Mr. Potts : Of women of Chester county, in the State of Pennsylvania.

By Mr. Harper : Of inhabitants of the State of Ohio ;

Of residents of Carroll county, in the State of Ohio.

By Mr. Toland : Of women of Dublin township, in the State of Pennsylvania.

By Mr. Potts : Of inhabitants of Chester county, in the State of Pennsylvania.

By Mr. Giddings : Of legal voters of Ashtabula county, in the State of Ohio.

By Mr. Potts : Of women of Providence township, Montgomery county, in the State of Pennsylvania.

By Mr. Sheffer : Of women of Upper Wakefield, in the State of Pennsylvania ;

Of women of Bucks county, in the State of Pennsylvania ;

Of women of the township of Wrightstown, in the State of Pennsylvania ;

Of women of the township of Warwick, in the county of Bucks and State of Pennsylvania.

By Mr. Potts : Of women of Bucks county, in the State of Pennsylvania ;

Of inhabitants of Chester county, in the State of Pennsylvania.

By Mr. Putnam : Of inhabitants of the town of Java, in the State of New York ;

Of inhabitants of the town of China, in the State of New York.

By Mr. Slade : Of electors of the town of Ashford, in the State of Connecticut.

By Mr. Rariden : Of inhabitants of Indiana.

By Mr. John W. Allen : Of inhabitants of the town of Medina, in the State of Ohio.

By Mr. Sheplor : Of inhabitants of the State of Ohio.

By Mr. Slade : Of inhabitants of Hamilton county, in the State of Ohio.

By Mr. Sheplor : Of inhabitants of Portage and Ross counties, in the State of Ohio.

Ordered, That the said memorials do lie on the table.

Memorials praying that the resolutions of the 11th and 12th December last, and Mr. Patton's resolution of the last session of Congress, may be rescinded, were presented as follows, to wit :

By Mr. Slade : Two memorials of inhabitants of Middlebury, in the State of Vermont ;

Of inhabitants of Hardwick, in the State of Vermont ;

Of inhabitants of West Randolph, in the State of Vermont ;

Of inhabitants of Wilmington, in the State of Vermont ;

Of inhabitants of Portsmouth, in the State of New Hampshire.

By Mr. Potts : Of inhabitants of Chester county, in the State of Pennsylvania.

By Mr. Giddings : Of citizens of Harmony, in the State of New York ;

Two memorials of inhabitants of Geauga county, in the State of Ohio ;

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

Mr. Rice Garland gave notice that he would, at a proper time hereafter, move for leave to introduce a bill to provide for taking the sixth census, or enumeration of the inhabitants of the United States.

On motion of Mr. Downing, Delegate from Florida, by leave,

Resolved, That the Committee on Roads and Canals inquire into the expediency of making appropriations for repairing the following military roads in Florida: From Jacksonville, by Nassau court-house, to ———, or Waterman's bluff, on St. Mary's river; from Jacksonville, by Black creek, to Newnansville.

On motion of Mr. Chapman, Delegate from Iowa, by leave,

Resolved, That the drawings which accompany the report of the survey of the boundary-line between the State of Missouri and the Territory of Iowa be printed, under the direction of the Topographical bureau.

And then, at ten minutes past five o'clock, the House adjourned until to-morrow, at eleven o'clock in the forenoon.

TUESDAY, FEBRUARY 5, 1839.

The journal of yesterday having been read,

A motion was made by Mr. John Quincy Adams to amend the same, by striking out the words next following the entry of the petition of citizens of the District of Columbia, presented by Mr. Moore; which words are as follows:

"A brief statement of the contents of this petition was made by Mr. Moore, when it was laid on the table."—

and inserting, in lieu thereof, these words:

"And while Mr. Moore was making a brief statement of the contents of said petition, he was called to order; and the Speaker decided him to be out of order; and the petition was sent to the Clerk's table, and no order of the House was taken thereon."

A motion was made by Mr. Toucey to amend the amendment proposed by Mr. Adams, by inserting therein after the words "and the Speaker decided him to be out of order," these words: "for entering into a discussion of the merits of the petition, instead of confining himself to a brief statement of the contents thereof; which being suggested, he acquiesced therein."

And the question being stated that the House do agree to the amendment moved by Mr. Toucey, it was,

On motion of Mr. Craig,

Ordered, That the motion made by Mr. Adams, and the several motions therewith connected, do lie on the table.

The House resumed the consideration of the motion reported by Mr. Cambreleng from the Committee of Ways and Means on the 29th January ultimo, to correct an error in the report of that committee submitted to the House on the 24th of January, on the state of the Treasury and the expenditures of Government, (see printed report, No. 218,) by striking from the 17th printed page the latter clause of a note appended to a statement exhibiting the probable value to the United States of lands ceded by the Cherokee Indians; which latter clause is in the words following, to wit: "This last sum (\$1,147,000) was reported by the two chairmen of

No. 155. An act supplementary to an act entitled "An act to amend an act for the appointment of commissioners to adjust the claims to reservations of land under the 14th article of the treaty of 1830, with the Choctaw Indians ;"

No. 156. An act for the relief of the heirs of Madam De Lusser, and their legal representatives ;

No. 164. An act for the relief of Juan Belgar ;

No. 167. An act to confirm the title to a certain tract of land in the county of Mobile ;

No. 206. An act for the relief of the securities of Elias T. Langham, late surveyor of public lands for the States of Missouri and Illinois ;

No. 207. An act supplementary to the act entitled "An act to provide for the organization of the department of Indian affairs," and "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier," approved June 30th, 1834 ;

No. 208. An act to authorize the appointment of three additional clerks in the office of the Commissioner of Indian Affairs ;

No. 214. An act to settle the title to certain tracts of land in the State of Arkansas ;

No. 253. An act for the relief of Daniel Marsaque ;

No. 254. An act for the relief of the legal heirs and representatives of William Conway ;

No. 255. An act for the relief of Pierre Babin ;

No. 263. An act for the relief of the heirs of Madam De Lusser ;

No. 265. An act to prevent the abatement of suits and actions now pending, in which the Bank of Columbia, in Georgetown, may be a party ;

No. 266. An act for the relief of the heirs of Miguel Eslava ; in which several bills I am directed to ask the concurrence of this House. And then he withdrew.

Mr. Stanly, by leave, moved the following resolution :

Resolved, That the Secretary of the Treasury be directed to communicate to this House what amount of gold and silver has been coined at the branch mint in Charlotte, in the State of North Carolina, since it has been in operation, specifying how much has been coined each year ; and, also, what has been the annual expense of the branch mint. And that the Secretary be also directed to inform this House what will be, as nearly as he can estimate, the additional expense of machinery, or of persons to be employed, if a law should be passed "directing the coinage of small change" at the branch mint in North Carolina, as desired by the Legislature of the State of North Carolina.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

Mr. Underwood, by leave, moved the following resolution :

Resolved, That the Secretary of the Treasury be directed to inform this House whether any, and, if any, what kind of funds have been furnished William E. Woodruff, pension agent for the State of Arkansas, for the payment of pensioners, since the suspension of specie-payment by the banks in May 1837 ; and that the Commissioner of Pensions be directed to furnish this House copies of the correspondence between himself and said Woodruff in the years 1837 and 1838, upon the subject of the funds furnished the latter for the payment of pensioners.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

Mr. Rice Garland gave notice that he would, at a proper time hereafter, move for leave to introduce a bill to provide for taking the sixth census, or enumeration of the inhabitants of the United States.

On motion of Mr. Downing, Delegate from Florida, by leave,

Resolved, That the Committee on Roads and Canals inquire into the expediency of making appropriations for repairing the following military roads in Florida: From Jacksonville, by Nassau court-house, to ———, or Waterman's bluff, on St. Mary's river; from Jacksonville, by Black creek, to Newnansville.

On motion of Mr. Chapman, Delegate from Iowa, by leave,

Resolved, That the drawings which accompany the report of the survey of the boundary-line between the State of Missouri and the Territory of Iowa be printed, under the direction of the Topographical bureau.

And then, at ten minutes past five o'clock, the House adjourned until to-morrow, at eleven o'clock in the forenoon.

TUESDAY, FEBRUARY 5, 1839.

The journal of yesterday having been read,

A motion was made by Mr. John Quincy Adams to amend the same, by striking out the words next following the entry of the petition of citizens of the District of Columbia, presented by Mr. Moore; which words are as follows:

"A brief statement of the contents of this petition was made by Mr. Moore, when it was laid on the table."—

and inserting, in lieu thereof, these words:

"And while Mr. Moore was making a brief statement of the contents of said petition, he was called to order; and the Speaker decided him to be out of order; and the petition was sent to the Clerk's table, and no order of the House was taken thereon."

A motion was made by Mr. Toucey to amend the amendment proposed by Mr. Adams, by inserting therein after the words "and the Speaker decided him to be out of order," these words: "for entering into a discussion of the merits of the petition, instead of confining himself to a brief statement of the contents thereof; which being suggested, he acquiesced therein."

And the question being stated that the House do agree to the amendment moved by Mr. Toucey, it was,

On motion of Mr. Craig,

Ordered, That the motion made by Mr. Adams, and the several motions therewith connected, do lie on the table.

The House resumed the consideration of the motion reported by Mr. Cambreleng from the Committee of Ways and Means on the 29th January ultimo, to correct an error in the report of that committee submitted to the House on the 24th of January, on the state of the Treasury and the expenditures of Government, (see printed report, No. 218,) by striking from the 17th printed page the latter clause of a note appended to a statement exhibiting the probable value to the United States of lands ceded by the Cherokee Indians; which latter clause is in the words following, to wit: "This last sum (\$1,147,000) was reported by the two chairmen of

the two Indian committees, (Messrs. White and Bell,) though the latter thought it was not enough, and, in his individual capacity, moved an addition of \$2,000,000, which was not agreed to; nor was the proposition of Mr. Everett to give them upwards of \$5,000,000 in addition."

The question recurred on the motion made by Mr. Biddle to recommit the motion to correct, with the report itself, to the Committee of Ways and Means, with instructions to correct any errors which may exist in the said report;

And, after debate, the hour elapsed, and the House proceeded to the business on the Speaker's table, and to the orders of the day.

The Speaker laid before the House sundry communications, viz :

I. A letter from the Secretary of War, transmitting reports from the Secretary of the Treasury and the Commissioner of Indian Affairs, in answer to the call of the House of the 14th ultimo, requiring a statement of the number of Indians annually removed to the western side of the Mississippi river from 1789 to 1838, with particulars connected therewith; which letter and reports were ordered to lie on the table.

II. A letter from the Secretary of War, transmitting a report of the Paymaster General, containing the information called for by the House on the 28th of January ultimo, in relation to the non-payment of North Carolina volunteers during the last year; which letter and report were laid on the table.

III. A letter from the Postmaster General, transmitting information called for by the House on the 28th of January ultimo, in relation to the failures in the ordinary and express mails to and from the city of New Orleans, within the last six months; which letter was ordered to lie on the table.

IV. A letter from the Postmaster General, stating, in answer to a resolution of the House of the 9th July, 1838, that no additional clerks were employed in the Post Office Department in replying to calls of the House of Representatives, but that, in some instances, the labor imposed by those calls pressed heavily upon the regular clerks; which letter was ordered to lie on the table.

V. A letter from the Secretary of the Navy, stating, in answer to the call of the House of the 28th ultimo for copies of certain charges heretofore preferred by Samuel Etheridge against Captain J. D. Elliot, of the United States navy, that, after a careful examination of the files of the Department, no such charges have been found; which letter was ordered to lie on the table.

VI. A letter from the Secretary of War, transmitting an abstract of the general returns of the militia of the United States, and of their arms, accoutrements, and ammunition, for the year 1838; which letter and abstract were laid on the table.

Bills from the Senate of the following titles, viz :

No. 10. An act to allow a drawback of duties on imported hemp when manufactured into cordage and exported;

No. 20. An act for the relief of Obed P. Lacey;

No. 22. An act to authorize John E. Metcalf and others to locate certain pre-emption claims to land in Indiana;

No. 44. An act to authorize the issuing a patent to the heirs or legal representatives of Francis Rivard, deceased;

No. 45. An act to transfer to the citizens of the parish of Concordia, in

the State of Louisiana, the interest of the United States in a certain tract of land;

No. 46. An act confirming certain land claims in Louisiana;

No. 48. An act to confirm claims to lands in the district between the Rio Hondo and Sabine rivers;

No. 49. An act for the relief of Joseph Bogy;

No. 50. An act for the relief of Sebastian Butcher, and the heirs and legal representatives of Bartholomew Butcher, Michael Butcher, and Peter Bloom;

No. 73. An act for the relief of Isabella Hill, widow, and John Hill, Elizabeth Hill, and Samuel Hill, children and minor heirs at law of Samuel Hill, deceased;

No. 107. An act for the relief of Jabez L. White and Asa White;

No. 111. An act for the relief of Charles Morgan;

No. 112. An act for the relief of Charles Morgan, of Louisiana;

No. 116. An act for the relief of the assignees of Louis Baron de Ferriet;

No. 154. An act for the relief of Joseph Cochran;

No. 155. An act supplementary to an act entitled "An act to amend an act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of one thousand eight hundred and thirty with the Choctaw Indians;"

No. 156. An act for the relief of the heirs of Madame De Lusser, and their legal representatives;

No. 164. An act for the relief of Juan Belgar;

No. 167. An act to confirm the title to a certain tract of land in the county of Mobile;

No. 206. An act for the relief of the securities of Elias T. Langham, late surveyor of public lands for the States of Missouri and Illinois;

No. 207. An act supplementary to the act entitled "An act to provide for the organization of the department of Indian affairs," and "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier," approved June thirteenth, eighteen hundred and thirty-four;

No. 208. An act to authorize the appointment of three additional clerks in the office of the Commissioner of Indian Affairs;

No. 214. An act to settle the title to certain tracts of land in the State of Arkansas;

No. 253. An act for the relief of Daniel Marsaque;

No. 254. An act for the relief of the legal heirs and representatives of William Conway;

No. 255. An act for the relief of Pierre Babin;

No. 263. An act for the relief of the heirs of Madame De Lusser;

No. 265. An act to prevent the abatement of suits and actions now pending, in which the Bank of Columbia, in Georgetown, may be a party;

No. 266. An act for the relief of the heirs of Miguel de Eslava;

were severally read the first and second time, and referred—

No. 10, to the Committee of Ways and Means.

No. 20, to the Committee on Private Land Claims.

No. 22, to the Committee on the Public Lands.

No. 44, to the Committee on the Public Lands.

No. 45, to the Committee on Private Land Claims.

No. 46, to the Committee on Private Land Claims.

- No. 48, to the Committee on Private Land Claims.
- No. 49, to the Committee on the Public Lands.
- No. 50, to the Committee on the Public Lands.
- No. 73, to the Committee on the Public Lands.
- No. 107, to the Committee on the Judiciary.
- No. 111, to the Committee on Private Land Claims.
- No. 112, to the Committee on Private Land Claims.
- No. 116, to the Committee on the Public Lands.
- No. 154, to the Committee on Private Land Claims.
- No. 155, to the Committee on Indian Affairs.
- No. 156, to the Committee on Private Land Claims.
- No. 164, to the Committee on Private Land Claims.
- No. 167, to the Committee on Private Land Claims.
- No. 206, to the Committee of Claims.
- No. 207, to the Committee on Indian Affairs.
- No. 208, to the Committee on Indian Affairs.
- No. 214, to the Committee on Private Land Claims.
- No. 253, to the Committee on Private Land Claims.
- No. 254, to the Committee on Private Land Claims.
- No. 255, to the Committee on Private Land Claims.
- No. 263, to the Committee on Private Land Claims.
- No. 265, to the Committee on the Judiciary.
- No. 266, to the Committee on Private Land Claims.

The bill from the Senate (No. 43) entitled "An act to continue in force the act for the final adjustment of private land claims in Missouri, approved July 9, 1832, and the act supplemental thereto, approved March 2, 1833," was read the first and second time, and referred to the Committee on Private Land Claims, with instructions to provide for a final adjustment of all French and Spanish grants, and grants of this Government to heads of families and the militia, not yet satisfied: provided, that all such claims now to be entertained shall be found recorded as having been presented to the late commissioners authorized to investigate and allow the same.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz:

- No. 21. An act to confirm the sale of certain reservations;
- No. 177. An act to amend and carry into effect the intention of an act entitled "An act to renew the patent of Thomas Blanchard," approved June 30, 1834;
- No. 5. An act for the relief of the heirs of John Brahan, late receiver of public moneys at Huntsville, Alabama;
- No. 7. An act for the relief of William East;
- No. 13. An act for the relief of Elisha Town;
- No. 14. An act for the relief of Erastus Fairbanks and Thaddeus Fairbanks;
- No. 15. An act for the relief of Thomas Sumpter;
- No. 16. An act for the relief of Sarah Angel and the other heirs at law of Benjamin King, deceased;
- No. 42. An act for the relief of John Newton;
- No. 51. An act for the relief of Jean B. Valle;
- No. 56. An act for the relief of the owners of the British brig *Despatch*;
- No. 57. An act to remunerate the captors of the privateer *Lydia*;

No. 76. An act for the relief of Jechonius Pigot and Benjamin Leacraft, sureties of James Manney, late collector of the customs for the district of Beaufort, in the State of North Carolina;

No. 77. An act to remit or refund to the Philadelphia, Wilmington, and Baltimore Railroad Company the duties upon certain railroad iron; and found the same to be truly enrolled: when

The Speaker signed the said bills.

On motion of Mr. Rariden,

Ordered, That the Committee of the Whole House to which is committed the report of the Committee on Private Land Claims on the case of the heirs of Miguel de Eslava, made at the last session of Congress, be discharged from the further consideration thereof; and that said report be recommitted to the Committee on Private Land Claims.

The House then resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 897) making appropriations for the support of the army for the year 1839; which bill he was directed to report to the House, with sundry amendments; which amendments were read, and concurred in by the House.

The said bill was then further amended.

A motion was made by Mr. Mercer further to amend the said bill, by adding thereto the following item:

"For the prosecution of surveys under the act of 1824, the sum of \$30,000."

And, pending this amendment,

The House, at four o'clock, adjourned until to-morrow, eleven o'clock in the forenoon.

WEDNESDAY, FEBRUARY 6, 1839.

A motion was made by Mr. Haynes that the rules of the House in relation to the priority of business be suspended, to enable him to submit a motion that the Committee of the Whole House on the state of the Union, to which is committed the message from the President of the United States at the commencement of the session, be discharged from the consideration thereof;

And on the question, Shall the rules be suspended for the purpose aforesaid?

There appeared,	{ Yeas,	. . . . .	75,
	{ Nays,	. . . . .	59.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
John T. Andrews
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Nathaniel B. Borden
James W. Bouldin
Andrew Buchanan

Mr. C. C. Cambreleng
John Campbell
Zadok Casey
John Chaney
Jesse F. Cleveland
William K. Clowney
Robert Craig
Samuel Cushman
John I. De Graff
John Edwards

Mr. John Ewing
James Garland
Thomas Glascock
Seaton Grantland
Hiram Gray
Albert G. Harrison
Charles E. Haynes
Orrin Holt
Robert M. T. Hunter
Samuel Ingham

Mr. Thomas B. Jackson
Jabez Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
John Klingensmith, jr.
Levi Lincoln
Richard P. Marvin
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
William Montgomery

Mr. William S. Morgan
William H. Noble
Amasa J. Parker
William Parmenter
Lemuel Paynter
Isaac S. Pennybacker
David Petrikin
Lancelot Phelps
Arnold Plumer
William W. Potter
Zadock Pratt
John H. Prentiss
Luther Reily
Francis E. Rives
Edward Robinson

Mr. Daniel Shaffer
Charles Shepard
Matthias Sheplor
James B. Spencer
Archibald Stuart
Henry Swearingen
Isaac Toucey
Hopkins L. Turney
Abraham Vanderveer
Joseph Weeks
Thomas T. Whittlesey
Jared W. Williams
Joseph L. Williams
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. James Alexander, jr.
John Bell
Richard Biddle
William Key Bond
William B. Calhoun
William B. Campbell
William B. Carter
John Chambers
Richard Cheatham
Thomas Corwin
George W. Crabb
Robert B. Cranston
Caleb Cushing
Edward Darlington
Edward Davies
George H. Dunn
Horace Everett
Richard Fletcher
Rice Garland
Joshua R. Giddings

Mr. Patrick G. Goode
George Grennell, jr.
Alexander Harper
Thomas Henry
William Herod
Henry Johnson
John P. Kennedy
Francis Mallory
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Calvary Morris
Charles Naylor
Joseph C. Noyes
David Potts, jr.
Harvey Putnam
James Rariden

Mr. Joseph F. Randolph
Joseph Ridgway
John Robertson
David Russell
John Sergeant
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William W. Southgate
Edward Stanly
William Stone
Charles C. Stratton
John Taliaferro
Joseph L. Tillinghast
John White
Lewis Williams
Sherrod Williams
Christopher H. Williams
Thomas J. Word.

Two-thirds not voting in the affirmative, the question was lost.

A motion was made by Mr. Kennedy that the rules in relation to the order of business be suspended, and that the House do proceed to the consideration of the resolution, heretofore moved by him, calling on the Secretary of the Navy for information in relation to the purchase of certain stores and supplies for the navy ;

And on the question, Shall the rule be suspended ?

There appeared, { Yeas, 90,
 { Nays, 60.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allon
J. Banker Ayer
Linn Banks
John Bell
Richard Biddle
William Key Bond
George N. Briggs
Isaac H. Bronson
William B. Calhoun
C. C. Cambreleng
William B. Campbell
John Chambers

Mr. Richard Cheatham
William K. Clowney
Thomas Corwin
Robert B. Cranston
Edward Darlington
Edward Davies
Edmund Deberry
George H. Dunn
John Edwards
George Evans
Horace Everett
John Ewing
Richard Fletcher
Rice Garland

Mr. Patrick G. Goode
George Grennell, jr.
William Halsted
Richard Hawes
Thomas Henry
William Herod
Robert M. T. Hunter
Thomas B. Jackson
Jabez Jackson
Henry Johnson
John P. Kennedy
Levi Lincoln
Francis Mallory
Richard P. Marvin

Mr. James M. Mason
 Samson Mason
 Abram P. Ma ry
 John P. B. Maxwell
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 Charles F. Mitchell
 Calvary Morris
 Charles Naylor
 William H. Noble
 Joseph C. Noyes
 Charles Ogle
 Luther C. Peck
 John Pope
 David Potts, jr.

Mr. Zadock Pratt
 Sergeant S. Prentiss
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Read
 Joseph Ridgway
 John Robertson
 Edward Robinson
 David Russell
 John Sergeant
 Augustine H. Shepperd
 Charles Shepard
 Ebenezer J. Shields
 Mark H. Sibley
 William W. Southgate

Mr. Edward Stanly
 Archibald Stuart
 William Stone
 Charles C. Stratton
 John Taliaferro
 Joseph L. Tillinghast
 George W. Toland
 Abraham Vanderveer
 Albert S. White
 John White
 Thomas T. Whittlesey
 Lewis Williams
 Sherrod Williams
 Christopher H. Williams
 Thomas J. Word
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson
 John T. Andrews
 William Beatty
 Cyrus Beers
 Andrew Beirne
 Bennet Bicknell
 James W. Bouldin
 John C. Brodhead
 Andrew Buchanan
 Zadok Casey
 John Chaney
 Jesse F. Cleveland
 George W. Crabb
 Robert Craig
 Samuel Cushman
 John I. De Graff
 Jacob Fry, jr.
 Joshua R. Giddings
 Thomas Glascock
 Seaton Grantland

Mr. Hiram Gray
 John K. Griffin
 Robert H. Hammond
 Albert G. Harrison
 Micajah T. Hawkins
 Charles E. Haynes
 Orrin Holt
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 John Klingensmith, jr.
 Henry Logan
 Joshua L. Martin
 William L. May
 Abraham McClellan
 Charles McClure
 William Montgomery
 William S. Morgan
 William Parmenter
 Isaac S. Pennybacker

Mr. David Petrikin
 Lancelot Phelps
 Arnold Plumer
 John H. Prentiss
 Luther Reily
 R. Barnwell Rhett
 Francis E. Rives
 Daniel Sheffer
 Matthias Shep.or
 James B. Spencer
 Henry Swearingen
 William Taylor
 Obadiah Titus
 Isaac Toucey
 Hopkins L. Turney
 Henry Vail
 Jared W. Williams
 Joseph L. Williams
 John T. H. Worthington
 Archibald Yell.

Two-thirds not voting in the affirmative, the question was lost.

On motion of Mr. Cambreleng,

Ordered, That the Committee of Ways and Means be discharged from the consideration of the petition of Gamaliel E. Smith, and that it be referred to the Committee of Claims.

Mr. Cambreleng, from the Committee of Ways and Means, reported amendments to the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839; which amendments were committed to the Committee of the Whole House on the state of the Union to which said bill is committed.

Mr. Chambers, from the Committee of Claims, to which was referred the bill from the Senate (No. 186) entitled "An act for the relief of William B. Ferguson and sureties," reported the said bill without amendment, accompanied by a report in writing. The said bill was then amended by changing the name of J. J. M. Lenday to J. J. M. Lindsay.

Ordered, That said bill be read a third time to-day.

The said bill was then read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Henry Johnson, from the Committee on Commerce, reported a bill (No. 1095) making an appropriation for the erection of a marine hospital in the city of St. Joseph, in the Territory of Florida; which bill was read

the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Cushman, from the Committee on Commerce, to which was referred the joint resolution of the Senate (No. 4) authorizing the President of the United States to cause certain surveys to be made, reported the same without amendment.

Ordered, That the said resolution be committed to the Committee of the Whole House on the state of the Union.

Mr. Sergeant, by leave, presented a memorial of Margaret E. Shaw, widow and executrix of the late John R. Shaw, formerly a purser in the navy of the United States, praying to be paid for a large amount of private stores which were the individual property of the said John R. Shaw, and on board of the United States frigate *Essex*, of which he was purser, at the time of her capture by British naval forces in the late war with England; which memorial was referred to the Committee on Naval Affairs.

Mr. Cushman, from the Committee on Commerce, reported a bill (No. 1096) making appropriations for building light-houses, light-boats, beacon-lights, and buoys, for the year 1839; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cushman, from the Committee on Commerce, reported a bill (No. 1097) making appropriations for building a pier at the northern extremity of Winnebago lake, and for other purposes; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cushman, from the Committee on Commerce, reported a bill (No. 1098) to amend an act entitled "An act to authorize the register or enrolment and license to be issued in the name of the president or secretary of incorporated companies owning a steamboat or vessel," passed 3d March, 1825; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cushman, from the Committee on Commerce, reported a bill (No. 1099) for the relief of Nathan Levy; which bill was read the first and second time, and committed to a Committee of the Whole House.

Mr. De Graff, from the Committee on Commerce, reported a bill (No. 1100) in addition to "An act supplementary to and to amend an act entitled 'An act to regulate the collection of duties on imports and tonnage,' passed 2d March, 1799, and for other purposes," passed on the 1st day of March, 1823; which bill was read the first and second time, and ordered to be engrossed, and read a third time to-day.

Mr. Montgomery, from the Committee on Commerce, made an unfavorable report on the petition of Lemuel C. Richmond; which report was ordered to lie on the table.

Mr. Montgomery, from the Committee on Commerce, reported two bills, viz :

No. 1101. A bill for the relief of Elliot Smith and Nathan Farnsworth;

No. 1102. A bill for the relief of George Willis;

accompanied by a report in each case; which bills were read the first and second time, and severally committed to a Committee of the Whole House to-morrow.

Mr. Mason, of Virginia, from the Committee on Commerce, made an

unfavorable report on the case of Stephen White and William Fettyplace; which report was ordered to lie on the table.

Mr. Shields, from the Committee on the Public Lands, reported the following resolution :

Resolved, That the Commissioner of the General Land Office be required to transmit to this House (at as early a day as practicable) a copy of the correspondence between him and the recorder in relation to the correcting, examining, signing, and issuing of patents; and a statement, as near as can be ascertained, of the average number of erroneous patents issued by mistake or inadvertence; and his opinion with regard to the best remedy for the prevention of like errors in future.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

Mr. Lincoln, from the Committee on the Public Lands, to which the subject was referred on the 14th January ultimo, reported a bill (No. 1103) making a donation of land to the Territory of Iowa, for the purpose of erecting public buildings thereon; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Lincoln, from the Committee on the Public Lands, to which was referred the report of the Commissioner of the General Land Office, in relation to certain lands covered by grants to Anthony Shane and Louis Godfroy, together with the petition of the trustees of Dublin township, in the State of Ohio, made a report thereon, accompanied by a bill (No. 1104) to compensate the township of Dublin, in Mercer county, in the State of Ohio, for the loss of school lands; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Word,

Ordered, That the Committee on the Public Lands be discharged from the further consideration of the petition of citizens of the State of Missouri for a cession of drowned or swamp lands, and that said petition do lie on the table.

Mr. Loomis, from the Committee on the Public Lands, to which the subject was referred on the 14th of January ultimo, reported a bill (No. 1105) authorizing the issuing of duplicate land warrants in cases where the warrants originally issued are lost or destroyed; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Loomis, from the Committee on the Public Lands, reported the following resolution :

Resolved, That the President of the United States be requested to cause to be prepared and presented to the next Congress, at an early day, a plan for the sale of the public mineral lands, having reference as well to the amount of revenue to be derived from them, and their value as public property, as to the equitable claims of individuals upon them; and that he, at the same time, communicate to Congress all the information in possession of the Treasury Department relative to their location, value, productiveness, and occupancy; and that he cause such further information to be collected, and surveys to be made, as may be necessary for these purposes.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

Mr. Bouldin, from the Committee for the District of Columbia, to which was referred the bill from the Senate (No. 78) entitled "An act to amend an act entitled 'An act to establish a criminal court in the District of Columbia,'" reported the same with an amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Thomas, from the Committee on the Judiciary, to which was referred the bill from the Senate (No. 203) entitled "An act for the relief of Doctor John Campbell White, of the State of Maryland," reported the same without amendment.

Ordered, That said bill be read a third time to-day.

The said bill was then read a third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Martin, from the Committee on the Judiciary, to which was referred the bill from the Senate (No. 241) entitled "An act for the relief of William H. Robertson, Samuel H. Garrow, and J. W. Simonton," reported the same without amendment.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

Mr. Martin filed a document in support of the claim of William Jones; which document was referred to the Committee on Private Land Claims.

Mr. Parmenter, from the Committee on Revolutionary Claims, made a report upon the petition of Henry Hoffman, accompanied by a bill (No. 1106) for the relief of Henry Hoffman; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. May,

Ordered, That the Committee on Private Land Claims be discharged from the consideration of the case of Hugh Riddle, and that it be referred to the Committee on the Public Lands.

Mr. May, from the Committee on Private Land Claims, made a report upon the memorial of the heirs of Don Carlos De Villemont, accompanied by a bill (No. 1107) for their relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Crabb, from the Committee on Private Land Claims, to which was referred Senate bill (No. 169) entitled "An act for the relief of Henry Wilson, confirming purchases of certain land in Arkansas," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

The said bill was then read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. May, from the Committee on Private Land Claims, reported an amendment to the bill (No. 418) for the relief of certain settlers on what is called the "Salt-lick reservation" in the western district of Tennessee; which amendment will be considered when the said bill shall come up for consideration.

Mr. Mason, of Ohio, from the Committee on Military Affairs, reported a bill (No. 1108) for the erection of an armory on the Western waters; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Kemble, from the Committee on Military Affairs, made an un-

favorable report upon the petition of Ann C. Stephenson; which report was ordered to lie on the table.

On motion of Mr. Grennell,

Ordered, That the Committee on Military Affairs be discharged from the consideration of the petition of William Callender, and that it do lie on the table.

Mr. McKay, from the Committee on Military Affairs, reported a bill (No. 1109) making an appropriation for paying the claims of the militia of Vermont, called out by the Governor of that State to prevent an unlawful incursion into Canada; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. McKay, from the Committee on Military Affairs, reported two bills, to wit:

No. 1110. A bill making an appropriation for the purchase of land adjoining the arsenal in Charleston, South Carolina;

No. 1111. A bill making an appropriation to carry on and complete certain military surveys;

which bills were read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. McKay, from the Committee on Military Affairs, to which was referred the resolution from the Senate (No. 9) for the purchase of the island at the confluence of the St. Peter's and Mississippi rivers, reported the same without amendment.

Ordered, That the said resolution be read a third time to-day.

The said resolution was then read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. McKay, from the Committee on Military Affairs, reported a joint resolution (No. 45) authorizing the Secretary of War to purchase a site in the District of Columbia for a new powder-magazine and keeper's house; which resolution was read the first and second time, and ordered to be engrossed, and read the third time to-day.

On motion of Mr. Bronson,

Ordered, That the Committee on the Territories be discharged from the consideration of the memorials of the Wisconsin Legislature for a donation of land for the improvement of the Fox and Rock rivers, the Mississippi, Wisconsin, and Platte rivers, and the Pekatonica river; and that said memorials be referred to the Committee on Roads and Canals.

Mr. Bronson, from the Committee on the Territories, reported sundry bills, to wit:

No. 1112. A bill for the relief of the Brotherton Indians in the Territory of Wisconsin;

No. 1113. A bill to establish a system of internal improvement in Wisconsin;

No. 1114. A bill to fix the salaries of the keepers of the public archives in Florida;

accompanied by a report in the first of the said cases; which bills were read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Potts, from the Committee on the Territories, reported a bill (No. 1115) to alter and amend the organic law of the Territories of Wisconsin and Iowa; which bill was read the first and second time, and

committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Whittlesey,

Ordered, That the Committee on Revolutionary Pensions be discharged from the cases of Edmund Leavenworth, Martha Lamore, and Simon Krewson; and that the said cases do lie on the table.

Mr. Whittlesey, from the Committee on Revolutionary Pensions, reported sundry bills, viz :

No. 1116. A bill in favor of Ellen Turney ;

No. 1117. A bill for the relief of Esther Parrott ;

No. 1118. A bill for the relief of Elizabeth Rowe ;

No. 1119. A bill for the relief of Huldah Farlow ;

accompanied by a report in each case ; which bills were read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Bond, from the Committee on Revolutionary Pensions, reported a bill (No. 1120) granting a pension to Alexander Gillis ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Bond, from the Committee on Revolutionary Pensions, made an unfavorable report on the petition of Mrs. Anne Royall ; which was committed to a Committee of the Whole House to-morrow.

Mr. Morgan, from the Committee on Revolutionary Pensions, reported sundry bills, viz :

No. 1121. A bill for the relief of Peter Hedrick ;

No. 1122. A bill for the relief of Cecilia Ragan ;

No. 1123. A bill for the relief of Philip Hartman ;

which bills were read the first and second time, and severally committed to a Committee of the Whole House to-morrow.

Mr. Joseph Johnson, of Virginia, from the Committee on Revolutionary Pensions, made a report on the case of Joanna Bartlett, accompanied by a bill (No. 1124) granting her a pension ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Joseph Johnson,

Ordered, That the petition of John Porter be recommitted to the Committee on Revolutionary Pensions.

Mr. Sibley, from the Committee on Revolutionary Pensions, made an unfavorable report on the petition of Barbara Burnham, (written on the petition ;) which report was laid on the table.

On motion of Mr. Childs,

Ordered, That the Committee on Revolutionary Pensions be discharged from the consideration of the case of Rachael Fox, and that the said petition be committed to a Committee of the Whole House to-morrow.

On motion of Mr. Taylor,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the petitions of Frederick Lantz, John Robinson, Job Wood, Peter Huston, Daniel Wilson, and David R. Whiteley, and that the said petitions do lie on the table.

Mr. Taylor, from the Committee on Invalid Pensions, reported two bills, viz :

No. 1125. A bill granting a pension to Emanuel Srofe ;

No. 1126. A bill granting a pension to John H. Lincoln ; which bills were read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Mitchell, from the Committee on Invalid Pensions, made unfavorable reports on the cases of Benjamin Wood and Samuel Day ; which reports were laid on the table.

Mr. Mitchell, from the Committee on Invalid Pensions, reported sundry bills, viz :

No. 1127. A bill for the relief of Jacob Euler ;

No. 1128. A bill for the relief of Peter W. Short ; accompanied by a report in each case ; which bills were read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Stanly, from the Committee on Invalid Pensions, made a report upon the petition of Sylvester Tiffany, accompanied by a bill (No. 1129) for his relief ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Herod,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the case of Daniel Shippey, and that it do lie on the table.

Mr. Allen, of Vermont, from the Committee on Invalid Pensions, reported the following bills, to wit :

No. 1130. A bill for the relief of Levi Collmus ;

No. 1131. A bill for the relief of Neil Shannon ; accompanied by reports in the said cases ; which bills were read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Allen, of Vermont,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the petition of Ephraim Shaler ; which petition was ordered to lie on the table.

Mr. McClellan, from the Committee on Invalid Pensions, made a report upon the petition of William Poole, accompanied by a bill (No. 1132) for his relief ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Phelps,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the petition of Amelia Mellus, widow of William Mellus, and that the said petition do lie upon the table.

Mr. Sergeant, from the Select Committee on steam-engines, reported the following resolution, to wit :

Resolved, That the committee be discharged from the further consideration of the petition and papers relating to the alleged invention of Cadwallader Evans, the subject being properly cognizable by the commissioners appointed under the act of that session.

The said resolution was read ;

And the question being put whether the House would agree thereto,

It was decided in the affirmative.

Mr. Underwood, from the Select Committee appointed upon the memorial of the heirs and devisees of James Rumsey, deceased, made a report thereon, accompanied by a joint resolution (No. 46) as follows, to wit :

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That the President be, and he is hereby, requested to present to James Rumsey, jr., the son and only surviving child of James Rumsey, deceased, a suitable gold medal, commemorative of his father's services and high agency in giving to the world the benefits of the steamboat.

The said resolution was read the first and second time, and the further consideration thereof was postponed until Saturday next.

On motion of Mr. Connor,

Ordered, That the Committee on the Post Office and Post Roads be discharged from the consideration of the petition of inhabitants of Bibb county, in the State of Alabama, for adequate compensation to the postmaster at Maplesville, in said county, and that it do lie on the table.

On motion of Mr. Connor,

Ordered, That the Committee on the Post Office and Post Roads be discharged from the consideration of the resolution of the House of the 14th ultimo, instructing the committee to inquire into the expediency of permitting agricultural publications to be conveyed by mail free of postage, and that the said resolution do lie on the table.

Mr. Hunter, of Virginia, from the Select Committee to which were referred, on the 8th of January last, certain resolutions in relation to the mode of collecting and disbursing the public revenue, made a report thereon, accompanied by a bill (No. 1133) to provide for the collection and disbursement of the public revenue; which bill was read the first and second time, and committee to the Committee of the Whole House on the state of the Union.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed a bill (No. 159) entitled "An act for the relief of Alvarez Fisk and Thomas P. Eskridge," in which I am directed to ask the concurrence of this House.

The Senate have also passed bills of this House of the following titles, viz :

No. 893. An act making appropriations for the payment of the revolutionary and other pensioners of the United States for the year 1839 ;

No. 1092. An act to provide for the location and temporary support of the Seminole Indians, removed from Florida.

And then he withdrew.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States enrolled bills of the following titles, viz :

No. 21. An act to confirm the sale of certain reservations ;

No. 177. An act to amend and carry into effect the intention of an act entitled "An act to renew the patent of Thomas Blanchard," approved June 30, 1834 ;

No. 491. An act to reorganize the district courts of the United States in the State of Alabama ;

No. 5. An act for the relief of the heirs of John Braham, late receiver of public moneys at Huntsville, in Alabama ;

No. 7. An act for the relief of William East ;

No. 13. An act for the relief of Elisha Town ;

No. 14. An act for the relief of Erastus Fairbanks and Thaddeus Fairbanks ;

No. 15. An act for the relief of Thomas Sumpter ;

No. 16. An act for the relief of Sarah Angel and the other heirs at law of Benjamin King, deceased ;

No. 42. An act for the relief of John Newton ;

No. 51. An act for the relief of Jean B. Valle ;

No. 56. An act for the relief of the owners of the British brig Despatch ;

No. 57. An act to remunerate the captors of the privateer Lydia ;

No. 76. An act for the relief of Jechonius Pigot and Benjamin Leacraft, sureties of James Manney, late collector of the customs for the district of Beaufort, in the State of North Carolina ;

No. 77. An act to remit or refund to the Philadelphia, Wilmington, and Baltimore Railroad Company, the duties upon certain railroad iron.

A message, in writing, was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary, which was delivered in at the Speaker's table.

The House resumed the consideration of the bill (No. 897) making appropriations for the support of the army for the year 1839.

The question recurred on the amendment moved yesterday by Mr. Mercer to add to the bill an item in the words following :

"For the prosecution of surveys under the act of 1824, the sum of \$80,000."

And, after debate,

The House, at four o'clock and fifteen minutes, adjourned until tomorrow, eleven o'clock in the forenoon.

THURSDAY, FEBRUARY 7, 1839.

Mr. Johnson, of Maryland, by leave, from the Select Committee appointed on the 29th day of December last, to which was referred the report from the Secretary of the Treasury, containing information respecting the donations of public lands, the quantity surveyed, the plans for dividing the same, or the proceeds thereof, with other information connected with the public lands ; and to which committee have been referred sundry propositions touching the disposal of the public lands ; reported the following resolutions, adopted by that committee, viz :

Resolved, That the committee report to the House, and ask leave to be discharged from the further consideration of the subject-matters referred to them, and that the journals of the committee be reported and published.

Resolved, further, That the committee deem it inexpedient to take further steps on the subject of the public lands this session.

A motion was made by Mr. Robertson, of Virginia, to amend the said report, by striking therefrom all after the word "*Resolved*," and inserting the following :

"*By the Senate and House of Representatives in Congress assembled*, That hereafter, the Secretary of the Treasury shall cause separate accounts to be kept of all moneys paid into the Treasury on account of sales of the public lands, to be disposed of in the manner herein provided, unless otherwise by law specially directed, viz : He shall, on the first day of July succeeding the next census, and thereafter semi-annually on the first day of January and July in every year, divide all the said moneys then in the Treasury among the several States of the Union, in the ratio of their federal numbers.

“ Provided, nevertheless, That nothing herein contained shall be construed to prohibit the appropriation of the proceeds of the public lands, or such portion thereof as may be requisite to meet the necessary expenditures of the Government for any year in which the receipts from customs and other sources of revenue shall be estimated to fall below ——— millions of dollars, and when it shall be deemed proper, on that account, to apply the said proceeds by special appropriation to supply the deficiency, and meet those expenditures.

“ Provided, also, That, in the event of war between the United States and any foreign Power, the said semi-annual division shall cease, and be suspended during the continuance of such war.

“ Provided, moreover, That nothing herein contained shall be construed to impair the right and obligation of Congress, whenever it shall satisfactorily appear that benefits from the use of the public lands, or the proceeds thereof, have been heretofore, or shall be hereafter, conferred on particular States, to extend, as far as practicable, to each and all the States, in their due and just proportions, who may require or be willing to accept them, similar benefits upon the same or equivalent terms.”

And, after debate, the hour elapsed, and the debate was suspended.

On motion of Mr. McKay, by leave,

Resolved, That there be printed of document 122 of the present session, being a supplemental report from the Treasury Department to document 297 of the last session of Congress, upon the subject of public defaulters, the same number of copies as was ordered to be printed of document 297, and that it be annexed to said document 297.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz:

No. 893. An act making appropriations for the payment of the revolutionary and other pensioners of the United States for the year 1839:

No. 1092. An act to provide for the location and temporary support of the Seminole Indians removed from Florida;

And found them correctly enrolled; when

The Speaker signed the said bills.

Mr. Naylor, by leave, presented a petition of Julius Jacobs, of the State of Pennsylvania, praying compensation for money lost in the mail: which petition was referred to the Committee on the Post Office and Post Roads.

Mr. Fletcher, of Massachusetts, presented a petition of a committee appointed by the Boston Marine Society, of Boston, in the State of Massachusetts, praying an appropriation for defraying the expenses of surveying Cohasset rocks, in the Massachusetts bay; which petition was referred to the Committee on Commerce.

Mr. Johnson, of Louisiana, presented a memorial of citizens of the State of Louisiana, praying the entire repeal of the laws for the naturalization of foreigners, and that provision may be made for the protection of the United States against the indiscriminate influx of foreign emigrants: which memorial was committed to the Committee of the Whole House of the state of the Union to which is committed the bill reported at the last session, upon the subject of foreign paupers.

Mr. Kemble, from the Committee on Military Affairs, reported a joint resolution (No. 47) making an appropriation for the exploration and survey of the lakes and lake coast; which resolution was referred to the Committee on Commerce.

Mr. Goode presented a petition of citizens of Putnam county, Ohio, in behalf of Samuel Myers, praying for the passage of an act authorizing said Myers to purchase the southwest fraction of section 21, in township 1 north, of range 5 east, in the district of lands subject to sale at Lima, in said State, upon which said Myers has made extensive improvements ; which petition was referred to the Committee on the Public Lands.

Mr. Calhoun, of Massachusetts, presented two petitions of citizens of Springfield, in the State of Massachusetts, praying a retrocession of the tract of land at Springfield ceded to the United States by the Legislature of Massachusetts for erection of arsenals, armories, &c. ; which petitions were referred to the Committee on Military Affairs.

Mr. Tillinghast presented a petition of citizens of the State of Rhode Island, praying an appropriation for placing spindles upon sunken rocks at the entrance of Pawtucket river, at the port of Pawtucket ; which petition was referred to the Committee on Commerce.

Mr. Cranston presented the petition of Sally C. Wenwood and Eliza S. Wenwood, presented heretofore April 26, 1824 ; which petition was referred to the Committee on Revolutionary Claims.

The message, in writing, received from the President of the United States yesterday, was read, and is as follows :

To the Senate and House of Representatives of the United States :

In compliance with the act of Congress of the 3d March, 1829, I herewith transmit to Congress the tenth annual report of the board of inspectors of the penitentiary of Washington.

M. VAN BUREN.

WASHINGTON, February 6, 1839.

Ordered, That the said message do lie on the table.

The Speaker laid before the House the following communications, to wit :

I. A letter from the Secretary of War, transmitting a report of the Colonel of topographical engineers, accompanied by the report and drawings in reference to the survey of the harbor of Stonington, Connecticut, which was called for by a resolution of the House of Representatives of the 28th ultimo ; which letter, with the report and drawings, was ordered to lie on the table.

II. A letter from the Secretary of War, in answer to a resolution of the House of the 28th ultimo, calling for the opinion of the Secretary as to whether the improvements can be suspended or discontinued upon the harbors now in process of construction, without endangering the existence of the structures already begun, the average progress of those harbors, &c. ; which letter, with the documents accompanying it, was ordered to lie on the table.

III. A letter from the Secretary of War, transmitting a report of the Commissioner of Pensions, of the number of pensions which have been relinquished under the act of March 18, 1819, called for by resolution of the House of the 31st December last ; which letter and report were ordered to lie on the table.

IV. A letter from the Secretary of the Treasury, stating, in answer to a call of the House of the 4th instant, " that no remittance of funds has been made by the Treasury Department to William E. Woodruff, pension

agent for the State of Arkansas," since the suspension of specie payments in May, 1837; which letter was read and laid on the table.

V. A letter from the Secretary of the Treasury, transmitting a report from the Commissioner of the General Land Office, containing statements of the whole amount of public lands to which the Indian title has been extinguished, the amount surveyed, the amount granted for bounties and public services; the amount ceded to the States and Territories, and granted and reserved for the purposes of education, for roads, canals, and other special and local objects, and the amount sold. The entire cost of all the public lands to which the Indian title has been extinguished, and of the care and sale of the same; the amount paid and obligated to be paid, for the extinguishment of Indian title, excluding the purchase-money for cessions from foreign Governments, and the expense of Indian wars; and the like amount, including the purchase-money, for the acquisition of lands from foreign Governments. The quantity of lands that have remained unsold by the latest returns, after having been in market for the space of each of the periods, five years, ten years, fifteen years, and twenty years; and the quantity sold after having been in market for each of those periods; and the quantity thrown into market each year, and the quantity sold during each year; which information was called for by the House on the 15th of January ultimo.

Ordered, That the said letter and accompanying papers do lie on the table.

A message, in writing, was received from the President of the United States by Mr. Abraham Van Buren, his private secretary; which was delivered in at the Speaker's table.

The House resumed the consideration of the bill (No. 897) making appropriations for the support of the army for the year 1839.

The question recurred on the amendment moved on the 5th instant by Mr. Mercer, to add to said bill an item in the words following:

"For the prosecution of surveys under the act of 1824, the sum of \$30,000;"

When Mr. Mercer modified his said amendment to read as follows:

"For the prosecution of the four surveys mentioned by the Secretary of War in his letter of — to the Committee on Roads and Canals of the House of Representatives, one of which surveys has been partly executed under a former appropriation, and the other three ordered to be made by the Senate of the United States, thirty thousand dollars."

And, after debate,

A motion was made by Mr. Cambreleng that the further consideration of said bill be postponed until to-morrow, (Friday;) and that the rule which sets apart Friday and Saturday for the consideration of private bills and private business, in preference to any other on those days, be suspended; and that said bill be the special order for Friday and the succeeding day, to take precedence over all other business.

And the question being put,

There appeared, { Yeas, 94.
Nays, 60.

The yeas and nays being desired by one-fifth of the members present. Those who voted in the affirmative are—

Mr. John T. Andrews
Charles G. Atherton
Linn Banks

Mr. William Beatty
Andrew Beirne
John Bell

Mr. Bennet Bicknell
William Key Bond
James W. Boulton

Mr. Isaac H. Bronson	Mr. Benjamin C. Howard	Mr. Lemuel Paynter
William B. Calhoun	Robert M. T. Hunter	Lancelot Phelps
C. C. Cambreleng	Samuel Ingham	Francis W. Pickens
John Campbell	Thomas B. Jackson	Zadock Pratt
William B. Carter	Jabez Jackson	Abraham Rencher
Zadok Casey	Joseph Johnson	R. Barnwell Rhett
John Chaney	Nathaniel Jones	John P. Richardson
Jesse F. Cleveland	George M. Keim	Francis E. Rives
Walter Coles	Gouverneur Kemble	John Robertson
Thomas Corwin	John Klingensmith, jr.	Daniel Sheffer
John W. Crockett	Hugh S. Legare	Augustine H. Shepperd
Caleb Cushing	Henry Logan	Charles Shepard
Samuel Cushman	Arphaxed Loomis	Matthias Sheplor
Thomas Davee	Abram P. Maury	James B. Spencer
Edmund Deberry	John P. B. Maxwell	Archibald Stuart
George C. Dromgoole	James J. McKay	William Taylor
James Farrington	Robert McClellan	Francis Thomas
Jacob Fry, jr.	Abraham McClellan	Joseph L. Tillinghast
Albert Gallup	Charles F. Mercer	Obadiah Titus
James Garland	John Miller	Isaac Toucey
Thomas Glascock	William Montgomery	Hopkins L. Turney
James Graham	William S. Morgan	Abraham Vanderveer
Seaton Grantland	John L. Murray	Taylor Webster
John K. Griffin	William H. Noble	Thomas T. Whittlesey
Elisha Haley	John Palmer	Lewis Williams
William Halsted	Amasa J. Parker	Jared W. Williams
Robert H. Hammond	William Parmenter	Joseph L. Williams
Thomas L. Hamer	Virgil D. Parris	Archibald Yell.
Charles E. Haynes		

Those who voted in the negative are—

Mr. John Quincy Adams	Mr. William Graham	Mr. James Rariden
James Alexander, jr.	William J. Graves	Joseph F. Randolph
Heman Allen	Thomas Henry	John Reed
John W. Allen	William Herod	Joseph Ridgway
J. Banker Ayrcrigg	William Cost Johnson	Edward Robinson
George N. Briggs	John P. Kennedy	David Russell
William B. Campbell	Levi Lincoln	John Sergeant
John Chambers	Francis S. Lyon	Ebenezer J. Shields
Richard Cheatham	Francis Mallory	Mark H. Sibley
George W. Crabb	Richard P. Marvin	William Slade
Robert B. Cranston	Samson Mason	Edward Stanley
Edward Davies	Thos. M. T. McKennan	William Stone
George H. Dunn	John J. Milligan	Charles C. Stratton
George Evans	Calvary Morris	John Taliaferro
Horace Everett	Charles Naylor	George W. Toland
John Ewing	Charles Ogle	Albert S. White
Richard Fletcher	Luther C. Peck	Sherrod Williams
Rice Garland	David Petrikon	Christopher H. Williams
Joshua R. Giddings	John Pope	Thomas J. Word
Patrick G. Goode	David Potts, jr.	Thomas Jones Yorke.

Two-thirds not voting in the affirmative, the question was lost.

The previous question was then moved by Mr. Haynes;

When a motion was made by Mr. Mallory, at twenty minutes before five o'clock, that the House do adjourn.

And the question being put,

It passed in the negative, { Yeas, 57.
Nays, 88.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams	Mr. John W. Allen	Mr. George N. Briggs
James Alexander, jr.	John Bell	William B. Calhoun
Heman Allen	William Key Bond	John Chambers

Mr. Walter Coles
 Thomas Corwin
 Edward Davies
 Horace Everett
 Richard Fletcher
 Rice Garland
 William J. Graves
 George Grennell, jr.
 William Haksted
 Ogden Hoffman
 William Coet Johnson
 John P. Kennedy
 Levi Lincoln
 Francis Mallory
 Samson Mason
 Abram P. Maury

Mr. John P. B. Maxwell
 Thomas M. T. McKennan
 Charles F. Mercer
 Charles F. Mitchell
 William Montgomery
 Calvary Morris
 John L. Murray
 Charles Naylor
 Charles Ogle
 Luther C. Peck
 John Pope
 David Potts, jr.
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Francis E. Rives

Mr. John Robertson
 Edward Robinson
 David Russell
 John Sergeant
 Augustine H. Shepperd
 Mark H. Sibley
 William Slade
 Edward Stanly
 Charles C. Stratton
 John Taliaferro
 Joseph L. Tillinghast
 George W. Toland
 Joseph R. Underwood
 Albert S. White
 Joseph L. Williams
 Thomas J. Word.

Those who voted in the negative are—

Mr. John T. Andrews
 Linn Banks
 William Beatty
 Andrew Beirne
 Bennet Bicknell
 James W. Bouleoin
 John C. Brodhead
 Isaac H. Bronson
 C. C. Cambreleng
 William B. Campbell
 John Campbell
 William B. Carter
 Zadok Casey
 John Chaney
 Richard Cheatham
 Jesse F. Cleveland
 William K. Clowney
 George W. Crabb
 John W. Crockett
 Caleb Cushing
 Samuel Cushman
 Thomas Davee
 George C. Dromgoole
 George H. Dunn
 James Farrington
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 Joshua R. Giddings
 Thomas Glascock
 Patrick G. Goode

Mr. James Graham
 William Graham
 Seaton Grantland
 John K. Griffin
 Eliasha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Charles E. Haynes
 Thomas Henry
 William Herod
 Benjamin C. Howard
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 Gouverneur Kamble
 John Klingensmith, jr.
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 James M. Mason
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 John J. Milligan
 John Miller
 William S. Morgan

Mr. William H. Noble
 John Palmer
 Amasa J. Parker
 William Parmenter
 Lemuel Paynter
 David Petrikia
 Lancelot Phelps
 Zadock Pratt
 John P. Richardson
 Joseph Ridgway
 Daniel Sheffer
 Charles Shepard
 Ebenezer J. Shields
 Matthias Shepler
 James B. Spencer
 Archibald Stuart
 William Stone
 William Taylor
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 Hopkins L. Turney
 Taylor Webster
 Thomas T. Whitley
 Lewis Williams
 Sherrod Williams
 Jared W. Williams
 Christopher H. Williams
 John T. H. Worthington
 Archibald Yell

A call of the House was then moved by Mr. Naylor;
 Which was decided in the negative.

The previous question, moved by Mr. Haynes, was then demanded by a majority of members present;

And the said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the bill be engrossed and read a third time?—(the amendment moved by Mr. Mercer being set aside by the previous question)—

And passed in the affirmative.

It was then,

Ordered, That the said bill be read a third time to-day.

The said bill, being engrossed, was read the third time ;

And on the question, Shall it pass?

It passed in the affirmative.

Ordered. That the Clerk request the concurrence of the Senate in the said bill.

The message received from the President of the United States to-day, was read, and is as follows :

To the Speaker of the House of Representatives :

SIR: I transmit herewith the report of the commissioners appointed under the act of 28th of June last, and the supplementary act of July following, to test the usefulness of inventions to improve and render safe the boilers of steam-engines against explosions.

M. VAN BUREN.

WASHINGTON, *February 6, 1839.*

Ordered, That said message do lie on the table.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting the information called for by the House on the 28th of January ultimo, in relation to the accounts of Thomas Irwin; which letter was read, and laid on the table.

And then, at five o'clock and ten minutes, the House adjourned until to-morrow at eleven o'clock in the forenoon.

FRIDAY, FEBRUARY 8, 1839.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed bills of the following titles, to wit :

No. 11. An act for the relief of John McCloud ;

No. 12. An act to establish a pension agency at Montpelier, in the State of Vermont ;

No. 55. An act to regulate the pay of masters in the navy ;

No. 62. An act for the benefit of the Selma and Tennessee Railroad Company ;

No. 63. An act granting to the State of Illinois the right of way through the public lands of the United States, and for other purposes ;

No. 74. An act for the relief of Ephraim Sprague ;

No. 84. An act for the relief of Captain Snodgrass's company of Alabama volunteers ;

in which bills I am directed to ask the concurrence of this House.

The Senate have also concurred in the amendment of this House to the bill of the Senate (No. 186) entitled " An act for the relief of William B. Ferguson and sureties." And then he withdrew.

Mr. Loomis, by leave, moved that 20,000 copies extra be printed of the report from the Secretary of the Treasury, received yesterday, upon the subject of the public lands, together with the statements accompanying the report from the Secretary of the Treasury, upon the same subject, communicated to the House on the 29th December last.

The rule which requires motions to print extra numbers of documents to lie on the table one day being dispensed with, the motion of Mr. Loomis was considered, and agreed to by the House.

Mr. Chapman, from the Committee on the Public Lands, to which was

referred Senate bill (No. 61) entitled "An act for the benefit of the Alabama, Florida, and Georgia Railroad Company," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

The House proceeded to the consideration of the resolutions reported yesterday by Mr. Johnson, of Maryland, from the Select Committee appointed on the 29th of December, on a report from the Secretary of the Treasury containing information respecting the donations of public land, the quantity surveyed, the plans for dividing the same or the proceeds thereof; with other information connected with the public lands.

The question recurred on the motion made by Mr. Robertson, yesterday, to amend the said resolutions.

And, after further debate, the hour elapsed, and the debate was suspended.

The bill from the Senate (No. 159) entitled "An act for the relief of Alvarez Fisk and the legal representatives of Thomas P. Eskridge," was read the first and second time, and referred to the Committee of Claims.

The House resumed the consideration of the engrossed bill (No. 351) for the relief of James P. Carlton; when

Mr. Thomas, from the Committee on the Judiciary, made a report on the case of the said James P. Carlton; which was read.

The question recurred on the motion to recommit the said bill to the Committee on the Judiciary;

And, after debate,

A motion was made by Mr. Connor, that the said bill do lie on the table;

And the question being put,

It passed in the affirmative.

A motion was subsequently made by Mr. Fletcher, of Vermont, that the House do reconsider the vote on the motion that the said bill do lie on the table; and the motion to reconsider was postponed until Friday the 15th instant.

The House proceeded to the consideration of the engrossed bill (No. 372) for the relief of Benjamin Fry.

The question recurred, Shall the bill pass?

And being put,

It passed in the affirmative.

A motion was made by Mr. Craig, that the House do reconsider the question on the passage of the said bill; when

The previous question was moved by Mr. Sherrod Williams, and, being demanded by a majority of the members present,

The said previous question was put, to wit: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, to wit: Will the House reconsider the question on the passage of the said bill?

And decided in the negative.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

The House proceeded to the consideration of the engrossed bill (No. 400) for the relief of Return B. Brown; and the question recurred, Shall the bill pass? when

A motion was made by Mr. Craig, that the bill be recommitted to the Committee on the Judiciary.

The previous question was moved by Mr. Thomas; and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the bill pass?—(the motion to recommit being set aside by the previous question)

And passed in the affirmative.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

The House proceeded to the consideration of the engrossed bill (No. 402) for the relief of John E. Wool, inspector general of the army;

And the question was stated, Shall the bill pass?

And, after debate,

A motion was made by Mr. McKay that the bill do lie on the table;

And the question being put,

It passed in the affirmative, { Yeas, 80,
Nays, 65.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

fr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsell
William Key Bond
Nathaniel B. Borden
George N. Briggs
Andrew Buchanan
C. C. Camweleng
William B. Campbell
Zadok Casey
John Chaney
Richard Cheatham
Jesse F. Cleveland
Walter Coles
George W. Crabb
Robert Craig
John W. Crockett
Thomas Davee
Edmund Deberry
George H. Dunn
James Farrington
Jacob Fry, jr.
Joshua R. Giddings

Mr. John K. Griffin
Micajah T. Hawkins
Charles E. Haynes
William Herod
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
James J. McKay
Abraham McClellan
Thomas M. T. McKennan
William Montgomery
William S. Morgan
John L. Murray
William H. Noble
Charles Ogle
William Parmenter
Iemuel Paynter
Isaac S. Pennybacker

Mr. David Petrikln
Lancelot Phelps
Arnold Plumer
David Potts, jr.
Zadock Pratt
James Raridon
Luther Reilly
Abraham Rencher
Joseph Ridgway
John Robertson
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard
Matthias Shepler
James B. Spencer
Edward Stanly
William Stone
Obadiah Titus
Isaac Toucey
Hopkins L. Turney
Abraham Vanderveer
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams
Jared W. Williams
Christopher H. Williams
Archibald Yell

Those who voted in the negative are—

r. James Alexander, jr.
Heman Allen
J. Banker Ayerigg
William Beatty
Richard Biddle
William B. Carter

Mr. John Chambers
Timothy Childs
Thomas Corwin
Robert B. Cranston
Caleb Cushing
Edward Davies

Mr. John I. De Graff
John Edwards
Albert Gallup
James Garland
Thomas Glaschck
Patrick G. Goode

Mr. William Graham
 Abraham P. Grant
 Hiram Gray
 George Grennell, jr.
 Robert H. Hammond
 Thomas L. Hamer
 William S. Hastings
 Thomas Henry
 Ogden Hoffman
 Benjamin C. Howard
 Jabez Jackson
 Henry Johnson
 Gouverneur Kemble
 Hugh S. Legare
 Levi Lincoln
 Richard P. Marvin

Mr. Joshua J. Martin
 Abram P. Maury
 William L. May
 John P. B. Maxwell
 Robert McClellan
 Charles McClure
 Charles F. Mercer
 John Miller
 Ely Moore
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 John H. Prentiss
 Harvey Putnam
 Edward Rumsey
 John Sergeant

Mr. Ebenezer J. Shields
 William Slade
 Archibald Stuart
 John Taliaferro
 William Taylor
 Francis Thomas
 Waddy Thompson, jr.
 Joseph L. Tillinghast
 George W. Toland
 Henry Vail
 Albert S. White
 Joseph L. Williams
 Thomas J. Word
 John T. H. Worthington
 Thomas Jones Yorks

The House proceeded to the consideration of the engrossed bill (No. 419) for the relief of certain settlers on what is called the Salt-lick reservation in the western district of Tennessee.

The question was stated: Shall the bill pass?

And, after debate,

The previous question was moved by Mr. Chambers; when it was found a quorum was not present.

A call of the House was then ordered, on motion of Mr. Noble;

And the roll being called, the following-named members did not answer to their names, viz:

Messrs. Linn Banks, Cyrus Beers, Richard Biddle, Samuel Birdsal. Ratliff Boon, Nathaniel B. Borden, James W. Bouldin, Isaac H. Bronson. Jesse A. Bynum, William B. Calhoun, William B. Carter, John Chaney. Reuben Chapman, Timothy Childs, John C. Clark, Jesse F. Cleveland. William K. Clowney, Charles D. Coffin, Isaac E. Crary, Edward Darlington, Thomas Davee, Edmund Deberry, John Dennis, George C. Dromgoole, Alexander Duncan, George H. Dunn, James Farrington, Richard Fletcher, Millard Fillmore, Joshua R. Giddings, James Graham, William Graham, Seaton Grantland, Abraham P. Grant, William J. Graves, Hiland Hall, Charles E. Hyanes, William Herod, Hopkins Holsey, William H. Hunter, Robert M. T. Hunter, Thomas B. Jackson, Daniel Jenifer, Joseph Johnson, William Cost Johnson, John W. Jones, John Klingensmith, jr., Daniel P. Leadbetter, Henry Logan, Arphaxed Loomis, Richard P. Marvin, James M. Mason, Charles McClure, Richard H. Menefee, John J. Milligan, Charles F. Mitchell, Ely Moore, Mathias Morris, Calvary Morris. John Palmer, William Parmenter, Virgil D. Parris, James A. Pearce. Luther C. Peck, Francis W. Pickens, John H. Prentiss, Sergeant S. Prentiss, Harvey Putnam, Joseph F. Randolph, John Reed, R. Barnwell Rhett. John P. Richardson, Francis E. Rives, Edward Rumsey, Leverett Saltostall, Samuel T. Sawyer, Daniel Sheffer, Matthias Shepler, Mark H. Sibley. William Slade, Adam W. Snyder, William Stone, Henry Swearingen, William Taylor, Francis Thomas, Waddy Thompson, jr., Obadiah Titus. Isaac Toucey, George W. Towns, Henry Vail, Taylor Webster, Joseph Weeks, Albert S. White, Jared W. Williams, Joseph L. Williams, John T. H. Worthington.

A motion was made by Mr. Sherrod Williams, at three o'clock, that the House do adjourn; which was decided in the negative.

A quorum being now present,

Further proceedings in the call were then dispensed with;

And the previous question, moved by Mr. Chambers, was demanded by a majority of the members present;

And the previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the bill pass?

[illegible]

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
Hugh J. Anderson
J. Banker Aycrigg
John Bell
William Key Bond
George N. Briggs
John C. Brodhead
John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
Jesse F. Cleveland
Thomas Corwin
George W. Crabb
John W. Crockett
Caleb Cushing
George H. Dunn
John Edwards
George Evans
Horace Everett
John Ewing
Richard Fletcher
Albert Gallup
James Garland
Rice Garland

Mr. Thomas Glascock
Patrick G. Goode
William Graham
Seaton Grantland
George Grinnell, jr.
Hiland Hall
William Halsted
Thomas L. Hamer
Alexander Harper
William S. Hastings
Thomas Henry
William Herod
Ogden Hoffman
Benjamin C. Howard
Jabez Jackson
Henry Johnson
Gouverneur Kemble
Daniel P. Leadbetter
Dixon H. Lewis
Levi Lincoln
Francis S. Lyon
Francis Mallory
Samson Mason
William L. May
John P. B. Maxwell
Robert McClellan
Abraham McClellan
Thomas M. T. McKennan
John L. Murray
Charles Naylor

Mr. Joseph C. Noyes
Amasa J. Parker
Lancelot Phelps
Arnold Plumer
John Pope
David Potts, jr.
James Rariden
Joseph Ridgway
Edward Robinson
David Russell
John Sergeant
Ebenezer J. Shields
William Slade
William W. Southgate
Archibald Stuart
William Stone
Henry Swearingen
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Isaac Toucey
Joseph R. Underwood
Taylor Webster
John White
Thomas T. Whittlesey
Sherrod Williams
Christopher H. Williams
Thomas J. Word
Archibald Yell
Thomas Jones Yorke.

Those who voted in the negative are—

John T. Andrews
Charles G. Atherton
William Beatty
Andrew Beirne
Bennet Bicknell
Isaac H. Bronson
Andrew Buchanan
John Campbell
William K. Clowney
Walter Coles
Henry W. Connor
Robert Craig
Robert B. Cranston
Samuel Cushman
Thomas Davee
Edward Davies
George C. Dromgoole
Isaac Fletcher

Mr. Jacob Fry, jr.
John K. Griffin
Elisha Haley
Micajah T. Hawkins
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Arphaxad Loomis
Abram P. Maury
James J. McKay
Charles McClure
Charles F. Mercer
William Montgomery
Samuel W. Morris
William H. Noble
William Parmenter

Mr. Lemuel Paynter
Isaac S. Pennybacker
David Petrikin
William W. Potter
Zadock Pratt
John P. Richardson
John Robertson
Samuel T. Sawyer
Augustine H. Shepperd
Charles Shepard
Matthias Sheplor
James B. Spencer
Edward Stanly
George W. Towns
Alvaham Vanderveer
Lewis Williams
Jared W. Williams.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

The House proceeded to the consideration of the engrossed bill (No. 122) for the relief of Jairus Loomis and James Bassett;

And the question was put, Shall the bill pass?

And passed in the affirmative.

The title of said bill was amended to read, "An act for the relief of Jairus Loomis and the heirs of James Bassett."

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

The House proceeded to the consideration of the engrossed bill (No. 480) to authorize a settlement of the claims of George Fisher for property destroyed by troops of the United States;

And the question was stated, Shall the bill pass?

When a motion was made by Mr. Petrikin, that the said bill be recommended to the Committee of Claims;

And, after debate,

The House adjourned, at a quarter after four o'clock, until to-morrow at eleven o'clock in the forenoon.

SATURDAY, FEBRUARY 9, 1839.

A motion was made by Mr. Briggs that the House do reconsider the vote of yesterday, that the bill (No. 402) for the relief of John E. Wool, inspector general of the army, do lie on the table; and the consideration of the motion to reconsider was postponed until Friday, the 15th instant.

The House resumed the consideration of the resolutions reported on Thursday last by Mr. Johnson, of Maryland, from the Select Committee appointed on the 29th of December, 1838, on a report from the Secretary of the Treasury containing information respecting the donations of public land; the quantity surveyed; the plans for dividing the same, or the proceeds thereof; with other information connected with the public lands.

The question recurred on the motion made by Mr. Robertson, of Virginia, on Thursday last, to amend the said resolutions;

And, after debate, the hour elapsed, and the debate was suspended.

The rule being suspended for the purpose of receiving the same,

Mr. McKennan, from the Committee on Roads and Canals, reported a bill (No. 1134) to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

The rule being suspended for the purpose of receiving the same,

Mr. John Quincy Adams, from the Committee on Manufactures, to which was referred Senate bill (No. 224) entitled "An act to authorize the Secretary of the Treasury to extend the time for the payment of the duties upon certain bonds given by the Alabama, Florida, and Georgia Railroad Company for the duties upon a quantity of railroad iron imported by the said company, and for the laying of the said iron upon railroads," reported the same with an amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Jones, of New York, from the Committee on the Territories, by

leave, made a report upon the resolution of the House of the 28th ultimo, relative to giving the judges of the supreme court of Iowa the same compensation as is paid to the judges of Wisconsin, accompanied by a bill (No. 1135) granting to the judges of the supreme court of Iowa the same compensation as by law is given to the judges of the supreme court of Wisconsin; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Bronson, from the Committee on the Territories, submitted to the House a communication to that committee from Mr. Doty, the delegate from the Territory of Wisconsin, setting forth the propriety of authorizing the Territorial Legislature to establish a system of internal improvement; which communication was laid on the table.

The Speaker laid before the House a letter from the First Comptroller of the Treasury, transmitting a statement of the balances due by receivers of public money, on the books of the Register of the Treasury, which have remained unsettled or appear to have been due prior to the 30th September, 1838; which letter and statement were laid on the table.

The Speaker laid before the House a letter from the Commissioner of Pensions, transmitting the correspondence with Wm. E. Woodruff, pension agent in Arkansas, called for by the House on the 4th instant; which letter and correspondence were laid on the table.

Bills from the Senate of the following titles, to wit:

No. 11. An act for the relief of John McCloud;

No. 12. An act to establish a pension agency at Montpelier, in the State of Vermont;

No. 55. An act to regulate the pay of masters in the navy;

No. 62. An act for the benefit of the Selma and Tennessee Railroad Company;

No. 63. An act granting to the State of Illinois the right of way through the public lands of the United States, and for other purposes;

No. 74. An act for the relief of Ephraim Sprague;

No. 84. An act for the relief of Captain Snodgrass's company of Alabama volunteers;

were severally read the first and second time, and referred—

No. 11, to the Committee on Invalid Pensions;

No. 12, to the Committee on Revolutionary Pensions;

No. 55, to the Committee on Naval Affairs;

No. 62, to the Committee on the Public Lands;

No. 63, to the Committee on the Public Lands;

No. 74, to the Committee of Claims;

No. 84, to the Committee on Military Affairs.

The Speaker laid before the House a letter from the Secretary of War, transmitting copies of all accounts of persons charged with the disbursement of money, goods, or effects, for the benefit of Indians, during the year ending September 30, 1838; which letter and accounts were laid on the table.

The House proceeded to the consideration of the resolution (No. 46) requesting the President to present to James Rumsey, jr., a gold medal.

When it was

Ordered, That the said resolution be engrossed, and read the third time to-day.

The said resolution, being engrossed, was read the third time ;
And on the question, Shall it pass ?
It passed in the affirmative.

Ordered, That the Clerk request the concurrence of the Senate therein.

The House resumed the consideration of the engrossed bill (No. 480) to authorize a settlement of the claims of George Fisher for property destroyed by troops of the United States.

The question recurred that the bill be recommitted to the Committee of Claims ;

And, after debate, it was,

On motion of Mr. Campbell, of South Carolina,

Ordered, That the said bill do lie on the table.

A motion was then made by Mr. Calhoun, of Kentucky, that the House do reconsider the vote ordering the said bill to lie on the table ; which motion to reconsider was disagreed to.

The House proceeded to the consideration of the engrossed bill (No. 518) for the relief of Lewis H. Bates and William Lacon ;

And the question was stated, that it do pass ;

And, after debate,

The previous question was moved by Mr. Calhoun, of Kentucky ; and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put ?

And passed in the affirmative.

The main question was then put, viz: Shall the bill pass ?

And passed in the negative.

The House proceeded to the consideration of the engrossed bill (No. 708) entitled "An act for the relief of James H. Grant, Moses W. Simpson, and Preston Going ;" and the question recurred on the passage of said bill ;

And, being put,

It passed in the affirmative.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

An engrossed bill (No. 1091) entitled "An act to repeal the proviso of the second section of an act approved 3d March, 1837, which authorized the Secretary of the Treasury to compromise the claim of the United States against certain banks," was read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

An engrossed resolution (No. 44) "relating to the award made by commissioners under the Choctaw treaty," was read a third time, and postponed until Monday next.

The House proceeded to the consideration of the engrossed bill (No. 899) entitled "An act for the relief of Griffith Coombe and John P. Ingie, trustees of the house, in the city of Washington, commonly called the "Brick Capitol."

And the question, Shall the bill pass? recurred; and being put, It passed in the affirmative.

The House proceeded to the consideration of the engrossed bill (No. 851) entitled "An act for the relief of Jamison and Williamson."

The question recurred on the motion of Mr. Sherrod Williams on the

2d instant, that the House do reconsider the vote of that day by which the said bill was passed;

And, the question being put,

It passed in the negative.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

The House proceeded to the consideration of the engrossed bill (No. 852) entitled "An act for the relief of Cornelius Taylor."

And the question recurred on the motion of Mr. Sherrod Williams on the 2d instant, that the House do reconsider the vote of that day by which the said bill was passed; when

Mr. Williams withdrew said motion.

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting a communication from the Solicitor of the Treasury, containing the information called for by the House on the 28th of January ultimo, as to the measures taken to recover from John Brahan, or his representatives, the debt due from said Brahan to the United States; which letter was read, and laid on the table.

Mr. Mercer, from the Committee on Roads and Canals, reported an amendment to the bill (No. 1134) to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes; which amendment was committed to the Committee of the Whole House to which said bill is committed.

The House proceeded to the consideration of the bill (No. 718) for the relief of Philip Lightfoot.

The question recurred that the bill be engrossed and read a third time, And, after debate,

The House adjourned, at ten minutes past four o'clock, until Monday, eleven o'clock in the forenoon.

MONDAY, FEBRUARY 11, 1839.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee have examined enrolled bills and resolutions of the following titles, viz :

No. 169. An act for the relief of Henry Wilson, confirming purchases of certain land in Arkansas;

No. 186. An act for the relief of William B. Ferguson and sureties;

No. 203. An act for the relief of Doctor John Campbell White, of Baltimore, in the State of Maryland;

No. 9. Resolution for the purchase of the island at the confluence of the St. Peter's and Mississippi rivers;

and found the said bills and resolution correctly enrolled: when

The Speaker signed the said bills and resolution.

Mr. Evans, from the Committee on Roads and Canals, by consent, made a report upon the petitions of inhabitants of Florida for the improvement and survey of certain rivers, and the repair of certain roads, &c., accompanied by a bill (No 1136) for the improvement and survey of certain rivers, and the repair of certain roads in Florida; which bill

was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cushman, from the Committee on Commerce, reported a bill (No. 1137) to establish a port of entry at St. Joseph, in the Territory of Florida; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

A motion was made by Mr. Haynes that the rules in relation to the order of business be suspended, and that the House do now resolve itself into the Committee of the Whole House on the state of the Union, and proceed to the further consideration of the message of the President of the United States at the commencement of the present session;

And, on the question that the rules be suspended for the purpose aforesaid,

There appeared, { Yeas, 81,
 Nays, 61.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. John T. Andrews
Linn Banks
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
James W. Bouldin
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
Zadok Casey
John Chaney
Reuben Chapman
Jesse F. Cleveland
George W. Crabb
Robert Craig
Samuel Cushman
Thomas Davee
Franklin H. Elmore
James Farrington
Isaac Fletcher
Albert Gallup
Thomas Glascock
Seaton Grantland
Robert H. Hammond
Albert G. Harrison
Micajah T. Hawkins

Mr. Charles E. Haynes
Orrin Holt
George W. Hopkins
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
George M. Keim
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
William Montgomery
John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris

Mr. Lemuel Paynter
Isaac S. Pennybacker
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
Zadock Pratt
John H. Prentiss
Luther Reily
John P. Richardson
Francis E. Rives
Daniel Sheffer
Charles Shepard
Matthias Shepler
James B. Spencer
Archibald Stewart
Henry Swearingen
William Taylor
Francis Thomas
Isaac Toucey
George W. Towns
Hopkins L. Turney
Abraham Vanderveer
Joseph Weeks
Thomas T. Whitley
Jared W. Williams
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
John W. Allen
John Bell
William Key Bond
George N. Briggs
Isaac H. Bronson
William B. Calhoun
John Calhoun
John Chambers
John C. Clark
Thomas Corwin
Robert B. Cranston
Caleb Cushing
Edward Davies

Mr. George H. Dunn
George Evans
Horace Everett
John Ewing
Richard Fletcher
Rice Garland
Joshua R. Giddings
William Graham
Abraham P. Grant
William Haletted
James Harlan
Richard Hawes
William Herod
Jabez Jackson
Levi Lincoln

Mr. Richard P. Marvin
Samson Mason
Abram P. Maury
William L. May
Thomas M. T. McKenna
Richard H. Menefee
Charles F. Mitchell
Charles Naylor
Joseph C. Noyes
Luther C. Peck
David Potts, jr.
James Rariden
Joseph F. Randolph
Edward Robinson
Edward Rumsey

Mr. David Russell
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
William Stone

Mr. Charles C. Stratton
John Taliaferro
George W. Toland
Joseph R. Underwood
John White

Mr. Lewis Williams
Sherrod Williams
Christopher H. Williams
Thomas J. Word
Thomas Jones Yorke.

Two-thirds not voting in the affirmative, the question was lost.

The House proceeded to the consideration of the amendment of the Senate to the bill (No. 939) entitled "An act to amend an 'Act to reorganize the district courts of the United States in the district of Mississippi,' " and the amendment being read, it was agreed to.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Lewis,

Ordered, That the Committee of Claims be discharged from the further consideration of the petition of A. P. King and Henry Lucas; and that leave be given to withdraw the same.

In pursuance of notice heretofore given,

Mr. Rice Garland asked leave to introduce a bill to provide for taking the sixth census or enumeration of the inhabitants of the United States; and leave being given,

Mr. Rice Garland introduced said bill (No. 1138;) which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Martin moved the following resolution:

Resolved, That the Clerk of this House be directed to purchase and distribute to the members and delegates of this House who were not members at the last session, such books as were authorized to be purchased for the members of the twenty-fifth Congress by the resolution of January 29, 1838; and that he pay for the same out of the contingent fund.

A motion was made by Mr. Banks that the resolution do lie on the table; which motion was disagreed to.

And the question was put, that the House do agree to the resolution;

And passed in the affirmative.

On motion of Mr. Johnson, of Louisiana,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making an appropriation to open the bar that is now forming at the mouths of the Red river and the Atchafalaya, and of removing the obstructions arising from the ledge of rocks opposite Alexandria, in Louisiana.

On motion of Mr. Ridgway,

Resolved, That the Committee, on the Public Lands inquire into the propriety of reducing the number of United States officers in the State of Ohio to the smallest number that they may deem consistent with the public interest.

Mr. Bell moved the following resolution; which was read, and committed to the Committee of the Whole House on the state of the Union, viz:

1. *Resolved*, That, of all monopolies, the most liable to abuse, the most oppressive and unreasonable, are Government monopolies; and none such ought to be upheld, but upon the clearest grounds of expediency and necessity.

2. *Resolved*, That the public post, with its present exclusive privileges,

can only be sustained on principle, as an institution of Government authorized by the constitution, so long as it is *necessary* or essential to the operations of the Government, in peace and in war, and no longer.

3. *Resolved*, That the exclusive right to carry letters for hire on all the principal roads in the United States, claimed and asserted by the Federal Government, is a monopoly exercised and tolerated at the commencement of the Government by reason of the low state of the public credit and finances, and not upon any ground of constitutional right or power.

4. *Resolved*, That a longer acquiescence in a monopoly originally asserted upon such questionable grounds, is neither expedient nor justifiable under the present improved state of the public credit and the increased resources of the country.

5. *Resolved*, That the business of carrying letters for hire, like every other branch of industry connected with the prosperity and happiness of the country, should be thrown open to the enjoyment of all the citizens of the United States, that the public may hereafter realize the advantages of increased regularity, cheapness, security, and expedition, which are sure to follow from a free competition of private capital and enterprise in this as in all other pursuits.

6. *Resolved*, That, in order to secure these great benefits, as well as to maintain correct principles in the administration of the Government, it is expedient that the less productive post routes, or such as offer no present inducement to private competition, should be sustained, if necessary, by appropriations out of the common Treasury, or revenues arising from other sources.

Mr. Carter moved the following resolution :

Resolved, That the Commissioner of the General Land Office be instructed to inform this House whether land agents generally, or only particular land agents resident in this city, be allowed the privilege of entering the different rooms of the General Land Office at all times, and remaining as many hours as they please, for the purpose of acquiring information useful to them in their business, and of examining the ground-plats of public lands already in the market, and of new lands about to be brought into the market, (furnished by the Surveyors General,) together with the private reports as to the quality of the soil, nature of location, proximity to navigable waters and railroads, &c., and of making extracts and memoranda from the same ; by which means the said agents have the power of ascertaining where the most valuable lands are located, and availing themselves of information improperly obtained ; and, also, whether the books and papers of the pre-emption and other bureaus of the office be accessible to them :

Whether the great seal of the office has lately been found in the possession of any one, under suspicious circumstances :

Whether, since the reorganization of the General Land Office, quantities of patents have not been sent out in such vile and almost illegible handwriting as must tend to bring the office into discredit :

Whether any, and how many, since the reorganization of the Land Office, land patents have been returned to the Land Office for *clerical inaccuracies* ; and whether there is not reason to suspect that great inaccuracies in the patents already sent out, as well as in those ready to be sent out, exist to a considerable extent ; if so, the reason for this gross

negligence on the part of those who have to attend to the duty of sending the patents out in a correct state :

Whether any clerks, and how many, since their appointment under the reorganization of the Land Office, have been allowed the privilege of staying away from the office for several months at a time, giving their names, the reasons for granting them these extraordinary privileges, stating who performs their duties in their absence, and, if substitutes are allowed, who pays them, and the prices the substitutes receive as a remuneration for performing the duties of the absentee clerks.

Which resolution giving rise to debate, it was laid over one day, under the rule.

Mr. Crockett moved the following resolution :

Resolved, That the Postmaster General be instructed to communicate to this House all the facts in relation to the existing contract for carrying the mail from Louisville, Kentucky, to New Orleans ; when, and to whom, the contract was let, and all the terms and conditions of the same ; whether all the terms and conditions of said contract have been complied with by the contractor ; and if not, in what respect he has failed to perform his obligations ; and what steps, if any, have been taken to enforce a compliance therewith.

The rule which requires this resolution to lie on the table one day being dispensed with, it was read, considered, and agreed to by the House.

On motion of Mr. Calhoun, of Kentucky,

Resolved, That the Committee on the Post Office and Post Roads inquire into the expediency of passing a law giving compensation to Peters, Moore, & Co., for carrying the mail in stages between Philadelphia and Lancaster during the period that the passage upon the railroad was obstructed by a snow-storm ; and also into the expediency of making compensation to the said company for carrying the mail in stages on the turnpike road between Philadelphia and Lancaster ; and also into the expediency of providing by law for returning to said company the sum of eight hundred and forty dollars, retained out of the pay of said company by the Postmaster General, on account of the said company carrying a greater number of passengers on their mail routes Nos. 1031 and 1038 than was permitted by their contracts.

On motion of Mr. Pope,

Resolved, That the Committee of Claims be instructed to inquire into the justice of the claim of John Hays for thirty dollars, for work performed for the public during the last war, by order of an officer in the service of the United States ; and that the committee report thereon.

Mr. Underwood submitted the following resolution ; which was read, and laid on the table one day, under the rule, to wit :

Resolved, That the Secretary of War be directed to inform this House how the armies and troops engaged in prosecuting the Florida war have been furnished with supplies of flour, meal, corn, oats, hay, bacon, pork, and beef, for the last two years ; stating whether the supplies have been furnished by contract in whole or in part, and the name or the names of the contractors ; and whether the contracts have been let to the lowest bidder, or whether the supplies have been furnished, in whole or in part, by an agent or agents employed to make purchases ; and, if so, the name or names of the agents, and the sums allowed them as compensation for their services, respectively ; and whether the compensation be a gross sum

by the month or year, or a per centage upon the amount of their purchases; and if a per centage, its amount.

Resolved, further, That said Secretary inform the House what is the highest price paid by the Government during the last two years for flour by the barrel; meal, corn, and oats, by the bushel; and bacon, pork, and beef, by the pound or barrel; and hay by the one hundred pounds or ton, delivered in the ports of Florida.

Mr. Towns submitted the following resolution; which was laid on the table one day, under the rule, viz:

Resolved, That the Secretary of War be instructed to communicate to this House a copy of the correspondence between General Jesup and the Creek warriors, in relation to the negroes captured by them in the Seminole war; also, the correspondence between General Arbuckle, Colonel Armstrong, and Nathaniel F. Collins, under the War Department, on the subject of said negroes.

Mr. Montgomery submitted the following resolution; which was laid on the table one day, under the rule, to wit:

Resolved, That the Secretary of War be directed to furnish this House a statement showing the names of the commissioned officers of the regular army that were absent from their command or post on the 1st of July and January last; also, the amount paid during the year 1838 to officers of the army for double rations, and to whom paid.

Mr. McKay submitted the following resolution:

Resolved, That the Secretary of War be, and he is hereby, directed to obtain, and communicate to this House at as early a day as practicable during the next session of Congress, information to the following effect, viz: the prices at which muskets, rifles, and pistols might be made and delivered to the United States at private armories, if the same be located in any good and convenient position in the Southern, the Southwestern, and Western sections of the Union; and that the said prices be obtained on the several suppositions that the permanency of the employment of such armories, the total number employed in those sections of the Union, their respective annual amounts of manufactures, and their system of proof and inspection of fire-arms, be each in all respects the same as do now appertain to the private armories employed by the Ordnance department in the manufacture of small-arms.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Charles Shepard,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of placing two buoys in the harbor of Beaufort, North Carolina—one on Moses shoal, and the other on Middle-ground shoal.

On motion of Mr. Rencher,

Resolved, That the Committee on Revolutionary Claims be directed to inquire into the expediency of allowing commutation to the heirs of Richard D. Cook for revolutionary services.

On motion of Mr. Lewis Williams,

Resolved, That the Committee on Patents be directed to inquire into the expediency of providing by law for refunding to applicants the fees they may have paid for a reissue or modification of their patents when they shall have failed to obtain the same.

Mr. Rives submitted the following resolution:

Resolved, That the Clerk of this House be directed to cause to be prepared an abstract of the several petitions and memorials upon the subject of slavery, the abolition of slavery, the slave-trade, and against the admission of any new State into the Union whose constitution may tolerate slavery; against the admission of Texas into the Union, and for the recognition of the independence of Hayti; which have been presented to this House since the commencement of the 23d Congress; stating each session separately; showing by whom presented, and the number of signers, men and women, where the same appears on the face of the papers.

Debate arising on this resolution, it was laid over, under the rule.

The rules being suspended for the purpose,

The House proceeded to the consideration of the resolution moved by Mr. Pratt on the 28th of January ultimo; when

Mr. Pratt modified his said resolution to read as follows:

Resolved, That the Committee on Public Buildings be instructed to inquire into the expediency of having the public buildings hereafter to be erected built of either marble or granite, instead of the sandstone that has been used; and that said committee report to this House which of these materials is the most durable and economical, and the several prices at which each of said materials can be furnished.

And after debate,

The previous question was moved by Mr. Pratt; and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Will the House agree to the resolution as modified?

And passed in the affirmative.

Mr. Coles submitted the following resolution:

Resolved, That the Secretary of the Treasury be directed to furnish to this House a tabular statement of the annual value of imports, payments into the Treasury on account of them, and whole cost of their collection, with the rate per cent. of it on the value of imports, and on the above-named payments, from 1789 to 1837, inclusive; adding the whole expenditures of the Government for each year during the same period, exclusive of trust-funds and public debt.

The rule which requires this resolution to lie on the table one day: being dispensed with, the resolution was considered and agreed to.

On motion of Mr. Johnson, of Virginia,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Evansville, in the county of Preston, to Beverly, in the county of Randolph, in the State of Virginia.

Mr. Mallory submitted the following resolution:

Resolved, That the Secretary of the Navy be directed to inform this House what pay and emoluments are allowed to Lieutenant Wilkes and the officers under his command in the South-sea exploring expedition, and if any assurances have been given by the Department that the acting appointments now held by them will be confirmed on their return to the United States, and whether the expedition is considered as of a naval character or not.

The rule which requires this resolution to lie on the table one day being dispensed with, the resolution was considered and agreed to.

On motion of Mr. Mercer,

Resolved, That the Committee for the District of Columbia be instructed to inquire into the expediency of causing repairs to be made in the street leading from the city hall towards the United States arsenal, within the city of Washington.

Mr. Thomas, by leave, presented a petition of stonecutters employed on the public works in the city of Washington, praying that an estimate may be procured of the probable cost of a building to be erected for a Post Office Department, the walls of which to be constructed of marble and limestone; which petition was referred to the Committee on the Public Buildings.

On motion of Mr. Potter,

Resolved, That the Committee on the Post Office and Post Roads be required to inquire into all the various claims of Peters, Moore, & Co. against the Post Office Department, which have been resisted by the Postmaster General, embracing three several items, and report by bill or otherwise.

On motion of Mr. Aycrigg,

Resolved, That the Committee on Commerce be instructed to report a bill providing that the estimated tonnage of vessels shall correspond with their actual capacity.

On motion of Mr. Halsted,

Resolved, That the Committee on the Judiciary be instructed to inquire whether any and what costs are charged against the United States for printed copies of records of suits pending in the Supreme Court, which have been printed at the expense of the United States; and, also, that they be instructed to inquire what amount is paid annually for printing the records and proceedings in suits pending before the Supreme Court, and to whom paid; and whether the clerk of that court charges suitors for copies of records of suits pending in the said court, which are printed at the expense of the United States, and at what rate and by what rule the said charges are made; and whether any legislation is necessary in relation to the costs of suits in said court.

Mr. Randolph submitted the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That the Secretary of the Treasury be directed to communicate to this House tabular statements of the receipts and expenditures of the United States from the 4th of March, 1789, to the present time, showing the different sources from whence the revenue has been received in each year, and the different heads, and total amount of expenditures, and the balance in the Treasury, of each year; and, also, the amount of appropriations under the respective heads, and the balance thereof expended of each year during the same period; and, also, the amount of imports, and of foreign and domestic exports, and of American and foreign tonnage engaged therein, for each year, during the same period.

Mr. Beers submitted the following resolution:

Resolved, That the Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy, and Postmaster General, be severally requested to report to this House, as soon as practicable, the time it will necessarily take to answer the various calls made by the House of

representatives on their respective Departments for information, during the present session, together with the probable cost of making their respective reports in answer to said calls, including the printing of the same; so, that they severally report to this House the number of calls for information made on their respective Departments during the last session, to whom made, and the number of their respective reports made by virtue of the said calls; and what number have been acted upon by the House of Representatives.

Resolved, That the Clerk be requested to ascertain and report to this House, as soon as practicable, the cost for printing ordered during the present session, including the reprinting of twenty thousand copies of last year's document No. 297: also, at what time the printing now ordered will be completed.

A motion was made by Mr. Beers, that the rule which requires this resolution to lie on the table one day be suspended, and that the House do now proceed to the consideration of said resolution;

And the question being put,

There appeared, { Yeas, 97,
 Nays, 78.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
John Campbell
John Chaney
Reuben Chapman
Walter Coles
Henry W. Connor
Isaac E. Crary
Caleb Cushing
Samuel Cushman
Thomas Davee
Edmund Deberry
John I. De Graff
Alexander Duncan
John Edwards
Franklin H. Elmore
Richard Fletcher
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
James Garland
Thomas Glascock
Seaton Grantland

Mr. Hiram Gray
John K. Griffin
Elisha Haley
Robert H. Hammond
Thomas L. Hamer
Micajah T. Hawkins
Charles E. Haynes
Hopkins Holsey
Orrin Holt
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Levi Lincoln
Henry Logan
Joshua L. Martin
James J. McKay
Abraham McClellan
Charles McClure
John Miller
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
Calvary Morris
John L. Murray
William H. Noble
John Palmer

Mr. Amasa J. Parker
William Parmenter
Lemuel Paynter
Isaac S. Pennybacker
Lancelot Phelps
Arnold Plumer
William W. Potter
Zadock Pratt
John P. Richardson
Francis E. Rives
Daniel Sheffer
Augustine H. Shepperd
Charles Shepard
Ebenezer J. Shields
Matthias Sheplor
James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
Taylor Webster
Joseph Weeks
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams
Jared W. Williams.

Those who voted in the negative are—

John Quincy Adams
James Alexander, jr.
Heman Allen

Mr. John W. Allen
J. Banker Ayerigg
William Key Bond

Mr. Nathaniel B. Borden
James W. Bouldin
George N. Briggs

Mr. Isaac H. Bronson
 William B. Calhoun
 William B. Campbell
 William B. Carter
 Zadok Casey
 John Chambers
 Richard Cheatham
 Timothy Childs
 John C. Clark
 George W. Crabb
 Robert B. Cranston
 John W. Crockett
 Edward Davies
 John Dennis
 George H. Dunn
 George Evans
 Horace Everett
 John Ewing
 Millard Fillmore
 Rice Garland
 Joshua R. Giddings
 Patrick G. Goode
 William Halsted

Mr. William S. Hastings
 Richard Hawes
 William Herod
 Ogden Hoffman
 George W. Hopkins
 Robert M. T. Hunter
 Daniel Jenifer
 Henry Johnson
 Francis S. Lyon
 Richard P. Marvin
 Samson Mason
 Abram P. Maury
 John P. B. Maxwell
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle
 Luther C. Peck
 John Pope
 David Potts, jr.
 Sergeant S. Prentiss

Mr. Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Abraham Reacher
 Joseph Ridgway
 Edward Robinson
 Edward Rumsey
 David Russell
 John Sergeant
 Mark H. Sibley
 William Slade
 William W. Southgate
 Edward Stanley
 Charles C. Stratten
 John Taliaferro
 Joseph L. Tillinghast
 George W. Toland
 Joseph R. Underwood
 John White
 Joseph L. Williams
 Christopher H. Williams
 Thomas J. Word

Two-thirds not voting in the affirmative, the question was lost.

The said resolution was then laid on the table one day, under the rule

On motion of Mr. Bicknell,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post road from Wampsville, in the county of Madison, New York, by Lenox furnace, to Cawasselon creek, in said county.

On motion of Mr. Marvin,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making appropriation for the survey of the bar and harbors of the following rivers and ports in Florida, with a view to the improvement of the same :

The bar of the river St. John's, and the river and harbor of St. Mark's, and more especially the new and better channel recently discovered by Benjamin Thornton, Esq., of said Territory.

In pursuance of notice heretofore given,

Mr. Grant asked leave to introduce a bill to provide for certain harbors, and for the removal of obstructions in and at the mouths of certain rivers, and for other purposes, during the year 1839; and leave being given,

Mr. Grant introduced a bill accordingly, (No. 1139;) which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Bronson,

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of making an appropriation for the erection of a fort or other military works on Bartlett point, in the river St. Lawrence, in the county of Jefferson and State of New York.

Mr. Fillmore presented a petition of inhabitants of Buffalo, in the State of New York, praying an appropriation for an extension of the harbor at Buffalo; which petition was committed to the Committee of the Whole House on the state of the Union.

Mr. Fillmore presented a petition of Henry P. Russell, administrator of Samuel Russell, deceased, late deputy commissary general of purchases for the northern district of the State of New York during the last war, praying

additional compensation for the services of the said Samuel Russell; which petition was referred to the Committee of Claims.

Mr. Loomis submitted the following resolution; which was read, and laid on the table one day, under the rule, to wit:

Resolved, That the Secretary of the Navy communicate to the House the names of all the navy officers who have been waiting orders, on furlough, or otherwise off duty, for more than six months past, with the length of time they have so been off duty, the amount of pay each has received, and whether any officer of the navy receives a pension for disability at the same time he is receiving pay as an officer, with the names and amount in each case.

On motion of Mr. De Graff,

Resolved, That the Committee on Naval Affairs be instructed to inquire into the propriety of reporting a bill providing for the settlement of the accounts of the late Purser Melancton W. Bostwick, and other officers and men who were lost, in the year 1815, on board the brig of war *Epervier*, which was foundered.

Mr. Taylor submitted the following resolution; which was read, and laid on the table, under the rule, to wit:

Resolved, That the 20th rule of this House, which provides that "all the States and Territories shall be called for resolutions on each alternate Monday during each session of Congress," be suspended after this day during the remainder of the session.

Mr. Grant submitted the following resolution; which, giving rise to debate, was laid over, under the rule, to wit:

Resolved, That bill No. 466, reported at the last session, providing for the construction of the Niagara ship-canal, be made the special order of the day for Thursday, the 21st day of February instant, after the expiration of the morning hour.

Mr. Titus submitted the following resolution; which, giving rise to debate, was laid over, under the rule, to wit:

Resolved, That the Committee of Ways and Means be discharged from the further consideration of a resolution of this House of the 14th January, instructing said committee to inquire into the expediency of an explanatory act in relation to the laws imposing duties upon imports; and also from the further consideration of a communication from the Secretary of the Treasury on the same day, upon the same subject; and that the said resolution and communication be referred to a select committee.

On motion of Mr. Everett,

Resolved, That so much of the resolution of this House of the 14th January as requires the Secretary of War to transmit to this House any part of the proceedings of the commissioners under the 14th article of the treaty of 1830 with the Choctaw Indians, be, and the same is hereby, rescinded.

Mr. Ingham moved the following resolution:

Resolved, That the Secretary of the Treasury be instructed to communicate to this House a statement of the annual expenditures for each revenue-cutter, consisting of repairs, equipments, rations, officers' and seamen's wages, and other incidental expenses, from the year 1830 to 1838.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered and agreed to.

On motion of Mr. Tillinghast,

Ordered, That Caleb Williams, jr. and S. W. Hunt have leave to withdraw their petition praying for a remission of duties, and the papers filed therewith.

Mr. Lincoln submitted the following resolution ; and the rule which requires the same to lie upon the table one day being dispensed with, it was considered and agreed to, viz :

Resolved, That the Secretary of the Navy be directed to transmit to this House a copy of a communication from Commodore Jesse D. Elliott to the late Secretary of the Navy, which accompanied the commodore's transmission of the proceedings of the naval court martial against Lieutenant C. G. Hunter, together with the deposition of the Governor of Minorca in relation to the transactions involved in the subject before said court. Also, that he lay before the House copies of all communications and papers furnished to the Department by Commodore Elliott, in explanation of, or having reference to, the complaint of Passed Midshipman Barton against the commodore, a copy of which was called for by a resolution of this House of the 1st of February instant ; and also of all communications on file in the Department in relation to the presentation of a service of plate to Commodore Elliott by the crew of the American frigate Constitution, during the last cruise of said ship under his command.

Mr. Slade submitted the following resolution ; which, giving rise to debate, was laid over, under the rule, viz :

Whereas, on the 30th day of January, in the year of our Lord one thousand eight hundred and thirty-nine, there were driven by the doors of the Capitol of the United States, in view of members of both Houses of Congress, thirty men, chained and handcuffed, together with twenty women and children : and whereas there are circumstances which justify a strong suspicion that it was for no offence against the laws of the United States, or of any of the States, that said men, women, and children were chained, handcuffed, and driven as aforesaid : therefore,

Resolved, That a committee of seven members of this House be forthwith appointed to inquire and report—

1. The authority under which the said men, women, and children were thus chained, handcuffed, and driven as aforesaid.

2. Whether they were charged with the commission of crimes, and, if so, of what crimes, and when and where committed ; or,

3. Whether they had been convicted of crimes, and, if so, of what crimes, and by what tribunal convicted ; and,

4. Whether the persons who chained, handcuffed, and drove the said men, women, and children were officers of the United States, duly authorized to have the custody of criminals within the District of Columbia ; and if so, whether they committed said men, women, and children to the common jail of said District for trial, or to the penitentiary thereof for punishment.

Resolved, That said committee be authorized to send for persons and papers, and to report to this House by bill or otherwise.

On motion of Mr. Briggs,

Resolved, That the Committee on Indian Affairs be instructed to inquire upon what terms the Indian portraits taken by George Catlin, of distinguished chiefs and braves belonging to about forty different nations,

together with the costumes, and other curiosities and sketches of the country, collected and taken by said Catlin during seven years' residence with and among the different tribes of the Western Indians, can be obtained by the Government, and into the expediency of purchasing the same.

On motion of Mr. Reed,

Resolved, That the Committee on Commerce be directed to inquire into the expediency of providing for a survey of a dangerous shoal, called the Nantucket South shoal, situate in the ocean, twenty or thirty miles from land, and greatly retarding and obstructing the navigation between the Northern and Middle and Southern States, and also between the United States and Europe.

Also, that they inquire into the expediency of providing buoys for the harbor of Wellfleet and vicinity.

On motion of Mr. Fletcher, of Massachusetts,

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making provision for a survey of the Cohasset rocks, in Massachusetts bay, with a view to the erection of a light-house thereon.

On motion of Mr. Borden,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of extending a post route to the village of Westport point, in the town of Westport, Massachusetts.

Mr. John Quincy Adams moved the following resolution; which was read, and laid on the table one day, under the rule, viz :

Resolved, That the Rules and Orders for conducting business in the House of Representatives be so amended that, in the proviso of the 18th rule, the word "thirty" be struck out, and the word "sixty" inserted in its place; and that in the last line but one of the said proviso the word "day" be struck out, and the words "and fourth days" inserted in its place.

On motion of Mr. Jared W. Williams, of New Hampshire.

Resolved, That the Committee on Commerce be discharged from the further consideration of the petition of Volney French and others, and that the same be referred to the Committee on the Public Lands, who have the subject of said petition under consideration.

On motion of Mr. Anderson,

Resolved, That the report of the Committee of Claims in the case of Betty H. Beard be recommitted to said committee, for the purpose of examining additional testimony.

On motion of Mr. Henry,

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a mail route between the post office called Black Hawk, in Beaver county, Pennsylvania, to the post office at Clarkson, Columbiana county, Ohio, a distance of about ten miles, by the way of the village of North Beaver, formerly known by the name of Dillen's mills, on Little Beaver, a place equidistant between the two points.

Mr. Duncan submitted the following resolution; which was read, viz :

Resolved, That the Clerk of this House be directed to make out a statement of the sums of money which have been paid as the expenses of the Committee of Investigation, appointed by the House of Representatives during the session of 1836-'7, of which the honorable Henry A. Wise was chairman; and, also, of the Committee of Investigation of the

same session, of which the honorable James Garland was chairman; stating particularly the items of said expenses, and to whom the same were paid; and report the same to the House.

Debate arising on this resolution, it was laid over, under the rule.

On motion of Mr. Cushing,

The House proceeded to the consideration of the resolution moved by him on the 31st of December last; and the same being read, was modified by the mover, and agreed to by the House, as follows:

Whereas, in the message of the President of the United States at the opening of the eighteenth Congress, it was, among other things, avowed and proclaimed as the settled national policy of the United States, that "in the wars of the European Powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do;" that "with the movements in this hemisphere we are of necessity more immediately connected;" that "we owe it, therefore, to candor and to the amicable relations existing between the United States and those Powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety;" that "with the existing colonies or dependencies of any European Power, we have not interfered, and shall not interfere; but with the Governments who have declared their independence, and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European Power, in any other light than as the manifestation of an unfriendly disposition towards the United States;" and that "it is impossible, therefore, that we should behold such interposition, in any form, with indifference:"

Resolved, therefore, That the President of the United States be requested to inform this House (if the same be not, in his judgment, incompatible with the public interest) what explanations the King of the French has rendered to the United States in relation to the recent blockade of a part of the coast of the Mexican republic by France; the treatment of vessels of the United States, public or private, by the blockading squadron; the reduction of the castle of San Juan de Ulloa; and the ulterior views and designs of the French Government respecting the Mexican republic. Also, to inform the House whether he has proffered to either of the contending parties the mediation of the United States in the premises; and to communicate any correspondence, on the subjects aforesaid, which may have passed between the Government of the United States and that of France.

And that the President be, in like manner, requested to communicate to the House information of the same tenor in regard to the blockade of the Rio de la Plata by the French, and the differences existing between the French Government and that of the Argentine republic.

A message was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary, notifying that the President did, on the 6th of February instant, approve and sign an enrolled bill (No. 491) entitled "An act to reorganize the district courts of the United States in the State of Alabama."

A message, in writing, was also received from the President of the United States; which was read, and is as follows:

To the House of Representatives of the United States:

I transmit, herewith, to the House of Representatives, a report from the Secretary of State, together with the documents which accompanied it, in answer to the resolution of the 28th ultimo, requesting information touching certain particulars in the territorial relations of the United States and Great Britain on this continent.

M. VAN BUREN.

WASHINGTON, (D. C.), February 9, 1839.

Ordered, That said message do lie on the table.

The Speaker laid before the House sundry communications, viz:

I. A report from the Secretary of the Treasury, in pursuance of the order of the House of the 28th of January ultimo, in relation to the accounts of David Henshaw, late collector of the port of Boston, and of his transactions with the Commonwealth Bank of Boston; which report was ordered to lie on the table.

II. A letter from the Secretary of the Treasury, transmitting the chart and the report of the survey of Newark bay, by Lieutenant Gedney, called for by the House on the 28th of January ultimo; which letter and report were laid on the table.

III. A letter from the Secretary of War, transmitting a report of the Third Auditor of the Treasury, containing the information called for by the House on the 3d of February instant, as to the value of horses turned over by volunteers to the United States, and respecting the action of the Department upon claims therefor; which letter and report were laid on the table.

Mr. Johnson, of Louisiana, from the Select Committee to which was referred the memorial of Duncan N. Hennen, complaining of the official conduct of Philip K. Lawrence, judge of the district court of the United States for the eastern and western districts of Louisiana, by leave, made a report, setting forth that, from the evidence collected by the committee, they are of opinion that the said Philip K. Lawrence, judge as aforesaid, should be impeached for high crimes and misdemeanors in office.

Ordered, That the consideration of the report be postponed until Thursday, the 21st of February instant.

Another message, in writing, was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary; which was read, and is as follows:

To the House of Representatives of the United States:

I transmit to the House of Representatives a report from the Secretary of State, with accompanying documents, in answer to a resolution of that body bearing date on the 28th ultimo.

M. VAN BUREN.

WASHINGTON, (D. C.), February 6, 1839.

Ordered, That said message do lie on the table.

A motion was made by Mr. Bronson to print 10,000 copies extra of said message, and the documents accompanying the same; which motion was ordered to lie on the table one day, under the rule.

* Relating to the destruction of the steamboat *Caroline*.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting abstracts of the official emoluments and expenditures of those officers of the customs who have rendered the statements required of them for the year 1838; which letter and abstracts were laid on the table.

Mr. Fillmore presented four memorials of citizens of Erie county, in the State of New York, praying for the modification or repeal of the law passed on the 11th of March last, commonly called the "neutrality law;" which memorials were referred to the Committee on Foreign Affairs.

Mr. Fillmore presented a memorial of citizens of Erie county, in the State of New York, praying the recognition by the United States of the independence of the republic of Hayti.

Mr. Fillmore presented proceedings of a public meeting of citizens of the county of Erie, in the State of New York, in favor of the repeal of the law of last session commonly called the "neutrality law;" and also in favor of demanding satisfaction of the British Government for the burning of the steamboat Caroline.

Ordered, That the said memorial and proceedings be referred to the Committee on Foreign Affairs.

On motion of Mr. Bronson,

Ordered, That the several Committees of the Whole House to which are committed bills in relation to the business or affairs of the Territories be discharged from the consideration thereof; and that said bills be committed to the Committee of the Whole House on the state of the Union.

And then, in pursuance of the special order of the 26th of January ultimo,

The House resolved itself into the Committee of the Whole House on the state of the Union, and proceeded to the consideration of bills relating to the Territories of the United States, of the following titles, viz:

No. 1028. A bill to define and establish the eastern boundary of the Territory of Iowa;

No. 1058. A bill to authorize the election or appointment of certain officers of the Territory of Iowa, and for other purposes;

No. 1115. A bill to alter and amend the organic law of the Territories of Wisconsin and Iowa;

No. 1059. A bill to amend the act establishing the Territorial Government of Wisconsin;

No. 1097. A bill making an appropriation for building a pier at the northern extremity of Winnebago lake, and for other purposes;

No. 1137. A bill to establish a port of entry at St. Joseph's, in the Territory of Florida;

No. 1112. A bill for the relief of the Brothertown Indians, in the Territory of Wisconsin;

No. 1114. A bill to fix the salaries of the keepers of the public archives in Florida;

No. 1029. A bill making an appropriation for purchasing a library for the use of the Legislative Council and court of appeals of the Territory of Florida;

No. 1136. A bill for the improvement and survey of certain rivers and the repair of certain roads in Florida;

No. 1054. A bill to grant to the counties of Lee, Des Moines, Jackson.

and Dubuque, in the Territory of Iowa, land to aid in the erection of county buildings ;

No. 1081. A bill to provide for the erection of public buildings in the Territory of Florida ;

No. 1061. A bill to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes ;

No. 1134. A bill to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes ;

and, after some time spent in Committee of the Whole on the state of the Union, the Speaker resumed the chair, and Mr. Davee reported as follows :

That he was directed to report bills numbered 1028, 1058, 1115, 1059, 1097, 1137, 1112, 1114, 1029, 1136, 1054, without amendment ;

That he was directed to report bills numbered 1081, 1061, 1134, with amendments to each.

And then the House adjourned at a quarter before five o'clock, until to-morrow, at eleven o'clock in the forenoon.

TUESDAY, FEBRUARY 12, 1839.

Mr. Charles Shepard, from the Committee on the Territories, reported a bill (No. 1140) making provision for a court-house in Duval county, Florida ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, reported a bill (No. 1141) making appropriations for certain fortifications for the year 1839 ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng, from the Committee of Ways and Means, to which was referred the bill from the Senate (No. 10) entitled " An act to allow a drawback of duties on imported hemp when manufactured into cordage and exported," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Cambreleng submitted a letter from the Secretary of the Treasury to the Committee of Ways and Means, showing the very large sums required to pay pensions due on the 4th of March next, and stating that, in the existing condition of the Treasury, and in the first quarters of the year, these payments cannot be met, with the other current expenditures, and the redemption of so many Treasury notes then falling due, unless the bill heretofore reported, authorizing the issue of the unexhausted Treasury notes be passed, or some other resource shall be provided ; which letter was read, and laid on the table.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee did, this day, present to the President of the United States enrolled bills of the following titles, viz :

No. 1092. An act to provide for the location and the temporary support of the Seminole Indians removed from Florida.

No. 893. An act making appropriations for the payment of the revolutionary and other pensioners of the United States for the year 1839.

No. 9. Resolution for the purchase of the island at the confluence of the St. Peter's and Mississippi rivers.

No. 169. An act for the relief of Henry Wilson; confirming purchases of certain land in Arkansas.

No. 186. An act for the relief of William B. Ferguson and sureties.

No. 203. An act for the relief of Doctor John Campbell White, of Baltimore, in the State of Maryland.

The House proceeded to the consideration of the several bills in relation to the Territories, reported from the Committee of the Whole House on the state of the Union yesterday: when it was

Ordered, That bills, viz:

No. 1028. A bill to define and establish the eastern boundary of the Territory of Iowa;

No. 1058. A bill to authorize the election or appointment of certain officers of the Territory of Iowa, and for other purposes;

No. 1115. A bill to alter and amend the organic laws of the Territories of Wisconsin and Iowa;

No. 1097. A bill making an appropriation for building a pier at the northern extremity of Winnebago lake, and for other purposes;

No. 1137. A bill to establish a port of entry at St. Joseph's, in the Territory of Florida;

No. 1112. A bill for the relief of the Brothertown Indians, in the Territory of Wisconsin;

No. 1114. A bill to fix the salaries of the keepers of the public archives in Florida;

No. 1029. A bill making an appropriation for purchasing a library for the use of the Legislative Council and court of appeals of the Territory of Florida;

No. 1136. A bill for the improvement and survey of certain rivers and the repair of certain roads in Florida;

No. 1054. A bill to grant to the counties of Lee, Des Moines, Jackson, and Dubuque, in the Territory of Iowa, lands to aid in the erection of county buildings;

be engrossed, and, severally, read a third time to-day.

The House proceeded to the consideration of the bill (No. 1059) to amend the act establishing the Territorial Government of Wisconsin.

A motion was made by Mr. Rice Garland to amend the said bill, by striking out the second section thereof; which motion was disagreed to by the House.

On motion of Mr. Bronson, the said bill was amended; and it was

Ordered, That it be engrossed and read a third time to-day.

The House proceeded to the consideration of the amendments reported from the Committee of the Whole House yesterday, to the bill (No. 1061) to provide for the erection of public buildings in the Territory of Florida: and the amendments, being read, were agreed to.

Ordered, That the bill be engrossed and read a third time to-day.

The amendment reported from the Committee of the Whole House on the state of the Union to the bill (No. 1061) to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes, was read, and agreed to by the House; and the said bill was then, on motion of Mr. Petrikin, further amended.

Ordered, That the said bill be engrossed and read a third time to-day.

The amendment reported from the Committee of the Whole House on

the state of the Union to the bill (No. 1134) to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes, was read, and agreed to by the House.

The bill was then further amended, on motion of Mr McKennan; and it was

Ordered, That said bill be engrossed and read a third time to-day.

On motion of Mr. Bronson,

The vote by which the bill (No. 1058) to authorize the election or appointment of certain officers of the Territory of Iowa, and for other purposes, was ordered to be engrossed and read a third time, was reconsidered.

The said bill was then amended, and again ordered to be engrossed and read a third time to-day.

The House, in further execution of the special order of the 26th of January ultimo, again resolved itself into the Committee of the Whole House on the state of the Union, and proceeded to the consideration of bills relating to the Territories of the United States; and, after some time spent therein, the Speaker resumed the chair, and Mr. Pickens reported that the committee, finding itself without a quorum, had risen, and directed him to report the fact to the House.

On motion of Mr. John Quincy Adams, a call of the House was then ordered; and the roll being in part called,

On motion of Mr. Bronson, further proceedings in the call were dispensed with, and a quorum having appeared,

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Pickens reported that the committee had, according to order, had the state of the Union generally under consideration, particularly bills of the following titles:

No. 1103. A bill making a donation of land to the Territory of Iowa, for the purpose of erecting public buildings thereon;

No. 1067. A bill to approve and confirm an act of the Legislative Assembly of the Territory of Wisconsin, and for other purposes;

No. 1135. A bill granting to the judges of the supreme court of Iowa the same compensation as by law is given to the judges of the supreme court of Wisconsin;

No. 1095. A bill making an appropriation for the erection of a marine hospital in the city of St. Joseph, in the Territory of Florida;

No. 1113. A bill to establish a system of internal improvement in Wisconsin;

No. 1140. A bill making provision for a court-house in Duval county, Florida;

and that he was directed to report said bills to the House—Nos. 1103, 1067, 1135, and 1140 without amendment, 1095 with an amendment, and 1113 with the enacting words stricken out.

The House proceeded to the consideration of the report from the Committee of the Whole House on the state of the Union; when it was

Ordered, That the bills reported from the Committee of the Whole House without amendment, viz: Nos. 1103, 1067, 1135, and 1140, be engrossed, and severally read a third time to-day.

The amendment reported from the Committee of the Whole House to the bill No. 1095 was read, and concurred in by the House.

Ordered, That the said bill be engrossed and read a third time to-day.
Engrossed bills of the following titles, viz :

No. 1028. An act to define and establish the eastern boundary of the Territory of Iowa ;

No. 1058. An act to authorize the election or appointment of certain officers of the Territory of Iowa, and for other purposes ;

No. 1115. An act to alter and amend the organic laws of the Territories of Wisconsin and Iowa ;

No. 1059. An act to amend the act establishing the Territorial Government of Wisconsin ;

No. 1097. An act making an appropriation for building a pier at the northern extremity of Winnebago lake, and for other purposes ;

No. 1137. An act to establish a port of entry at St. Joseph, in the Territory of Florida ;

No. 1112. An act for the relief of the Brothertown Indians, in the Territory of Wisconsin ;

No. 1136. An act for the improvement and survey of certain rivers and the repair of certain roads in Florida ;

No. 1081. An act to provide for the erection of public buildings in the Territory of Florida ;

No. 1061. An act to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes ;

No. 1054. An act to grant to the counties of Lee, Des Moines, Jackson, and Dubuque, in the Territory of Iowa, lands to aid in the erection of county buildings ;

No. 1134. An act to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes ;

No. 1095. An act making an appropriation for the erection of a marine hospital in the city of St. Joseph, in the Territory of Florida ;

No. 1114. An act to fix the salaries of the keepers of the public archives in Florida ;

were, severally, read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bills.

An engrossed bill (No. 1029) making an appropriation for purchasing a law library for the use and benefit of the Legislative Council and court of appeals in the Territory of Florida, was read the third time, and amended by unanimous consent.

And the question was stated, Shall the bill pass ? when

A motion was made by Mr. Cushman, that the said bill be recommitted to the Committee of the Whole House on the state of the Union ; which motion was disagreed to.

The question was then put, that the bill do pass ;

And passed in the negative, { Yeas, 62.
Nays, 64.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
John W. Allen
John T. Andrews

Mr. J. Banker Aycrigg
Andrew Beirne
Bennet Bicknell
Nathaniel B. Borden

Mr. James W. Boulton
Isaac H. Bronson
William B. Calhoun
Zadok Casey

Mr. John C. Clark
 Jesse F. Cleveland
 Walter Coles
 Thomas Corwin
 Isaac E. Crary
 John W. Crockett
 William C. Dawson
 John Dennis
 Rice Garland
 Seston Grantland
 Abraham P. Grant
 John K. Griffin
 Robert H. Hammond
 William S. Hastings
 Thomas Henry
 Benjamin C. Howard
 Nathaniel Jones

Mr. Gouverneur Kemble
 Dixon H. Lewis
 Levi Lincoln
 Henry Logan
 Francis S. Lyon
 Abram P. Maury
 John P. B. Maxwell
 Robert McClellan
 Charles McClure
 Thomas M. T. McKennan
 Charles F. Mercer
 William S. Morgan
 Charles Naylor
 William H. Noble
 Joseph C. Noyes
 John Palmer
 Amasa J. Parker

Mr. Lemuel Paynter
 David Petrikin
 David Potts, jr.
 Zadock Pratt
 Harvey Putnam
 Joseph F. Randolph
 Joseph Ridgway
 Edward Robinson
 Charles Shepard
 James B. Spencer
 John Taliaferro
 William Taylor
 Obadiah Titus
 George W. Toland
 Taylor Webster
 Archibald Yell.

Those who voted in the negative are—

Mr. Heman Allen
 Hugh J. Anderson
 Charles G. Atherton
 Cyrus Beers
 John Bell
 William Key Bond
 C. C. Cambreleng
 William B. Campbell
 John Campbell
 William B. Carter
 John Chaney
 Henry W. Connor
 Robert Craig
 Samuel Cushman
 Thomas Davee
 Edward Davies
 Edmund Deberry
 George H. Dunn
 John Edwards
 Isaac Fletcher
 James Garland
 Joshua R. Giddings

Mr. William Graham
 William J. Graves
 Elisha Haley
 William Halsted
 Charles E. Haynes
 William Herod
 George W. Hopkins
 Robert M. T. Hunter
 Thomas B. Jackson
 Jabez Jackson
 Joseph Johnson
 John P. Kennedy
 Daniel P. Leadbetter
 Arphaxed Loomis
 James J. McKay
 Abraham McClellan
 Richard H. Menefee
 John J. Milligan
 John Miller
 Charles Ogle
 William Parmenter

Mr. Lancelot Phelps
 Abraham Rencher
 John Robertson
 Edward Rumsey
 David Russell
 Daniel Sheffer
 Augustine H. Shepperd
 Ebenezer J. Shields
 Matthias Sheplor
 Mark H. Sibley
 Edward Stanly
 William Stone
 Henry Swearingen
 Isaac Toucey
 Joseph R. Underwood
 Thomas T. Whitlessey
 Lewis Williams
 Sherrod Williams
 Jared W. Williams
 Christopher H. Williams
 Thomas J. Word.

An engrossed bill (No. 1067) to approve and confirm an act of the Legislative Assembly of the Territory of Wisconsin, and for other purposes, was read the third time, and passed.

The title of said bill was amended to read "An act to approve and confirm an act of the Legislative Assembly of the Territory of Wisconsin, creating certain banks, and for other purposes."

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

A motion was made by Mr. Edwards, that the House do reconsider the vote of this day on the question that the bill (No. 1029) making an appropriation for purchasing a law library for the use and benefit of the Legislative Council of the Territory of Florida, do pass; pending which motion,

The House, at five o'clock, adjourned until to-morrow at eleven o'clock in the forenoon.

WEDNESDAY, FEBRUARY 13, 1839.

Mr. Atherton, from the Committee of Ways and Means, reported a bill (No. 1142) for the relief of Thomas Latham, accompanied by a re-

port; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Chambers, from the Committee of Claims, made a report on the case of Milus W. Dickey, accompanied by a bill (No. 1143) for the relief of said Dickey; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Chambers, from the Committee of Claims, made an unfavorable report on the petition of William H. Williams; which was ordered to lie on the table.

Mr. Chambers, from the Committee of Claims, to which was referred the bill from the Senate (No. 206) entitled "An act for the relief of the securities of Elias T. Langham," reported the same without amendment, accompanied by a report in writing.

Ordered, That the said bill be read a third time to day.

The said bill was then read the third time;

And on the question, Shall it pass?

It passed in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Giddings, from the Committee of Claims, made unfavorable reports on the cases of William Hawkins, Gates Hoit, Josiah Rogers, and Richard Bond; which reports were ordered to lie on the table.

Mr. Stuart, from the Committee of Claims, made an unfavorable report on the case of Reess, Roche, and Reess; which report was ordered to lie on the table.

Mr. Cushman, from the Committee on Commerce, to which was re-committed bill (No. 488) establishing certain collection districts, and creating ports of entry therein, reported an amendatory bill.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Cushman,

Ordered, That the Committee on Commerce be discharged from the consideration of the memorial and resolutions of the Legislature of the State of Indiana, for aid in the construction of a canal around the falls of the Ohio river, and that it be referred to the Committee on Roads and Canals.

Mr. Cushman, from the Committee on Commerce, reported the following resolution:

Resolved, That a detailed report and drawings of the light-houses at Barfleur and Ostend, prepared by Lieutenant Colonel B. Aycrigg, one of the chief engineers on the State works of Pennsylvania, be printed for the use of the House.

The said resolution was read, and agreed to by the House.

Mr. Cushman submitted to the House a letter from the Fifth Auditor of the Treasury to the Committee on Commerce, accompanied by a report of R. T. Paine, showing accurately the latitude and longitude of the several light-houses within the State of Massachusetts; which letter and report were laid on the table.

Mr. Cushman, from the Committee on Commerce, reported the following resolution, viz:

Resolved, That this House will, on Friday and Saturday the 15th and 16th instant, after the morning hour, resolve itself into the Committee of the Whole on the state of the Union, for the consideration of the following

bills, and give the same the preference over all other business during the above-mentioned period, to wit :

Joint resolution of the Senate (No. 4) authorizing the President of the United States to cause certain surveys to be made ;

No. 472. A bill to define the number, compensation, and duties of officers of the customs ;

No. 797. A bill further to provide for the relief of distressed American seamen in foreign countries ;

No. 818. A bill to extend the limits of the port of New Orleans ;

No. 488. A bill to establish ports of entry ;

No. 1010. A bill to authorize the cancellation of certain debenture bonds on the exportation of coal.

No. 96. A bill for the reorganization of the Treasury Department ;

No. 488. A bill making appropriations for building light-houses, light-boats, beacon-lights, and buoys, for the year 1839 ;

No. 695. A bill making appropriations for building custom-houses at New Orleans, Philadelphia, and Savannah ;

No. 766. A bill making appropriations for the improvement of certain harbors therein mentioned, and for the survey of certain harbors ; and that said bills be taken up in the order in which they stand in said resolution.

A motion was made by Mr. Bronson to amend said resolution ; when it was

Ordered, That said resolution do lie on the table.

Mr. Montgomery, from the Committee on Commerce, made an unfavorable report on the petition of Charles Kohler ; which report was ordered to lie on the table.

Mr. De Graff, from the Committee on Commerce, to which the subject was referred on the 14th January, reported the following joint resolution, (No. 48,) viz :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Committee on the Public Library be authorized to purchase 200 copies of the book entitled "*Jones's Digest and Tariff*," at a price not exceeding two dollars and fifty cents for each copy ; and that fifty copies be deposited in the Library of Congress, and the residue be deposited with the Secretary of the Treasury, to be distributed by him from time to time among the principal officers of the customs.

The said resolution was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Saltonstall, from the Committee of Claims, made a report on the case of Thomas W. Taylor, accompanied by a bill (No. 1144) for his relief ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Saltonstall, from the Committee of Claims, made unfavorable reports on the cases of Mary Peck and Charles Sumption ; which reports were ordered to lie on the table.

Mr. Casey, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 73) entitled "An act for the relief of Isabella Hill, widow, and John Hill, Elizabeth Hill, and Samuel Hill, children and minor heirs at law of Samuel Hill, deceased," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Casey, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 63) entitled "An act granting to the State of Illinois the right of way through the public lands of the United States, and for other purposes," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Shields, from the Committee on the Public Lands, to which was referred the petition of John Campbell, reported a bill (No. 1145) for the relief of the legal representatives of William Williams, senior, deceased; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Shields, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 62) entitled "An act for the benefit of the Selma and Tennessee Railroad Company," reported the same without amendment.

The question was stated, Shall the bill be read a third time?

And, after debate, the hour elapsed, and the House proceeded to the business on the Speaker's table, and to the orders of the day.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting information called for by the House on the 4th instant, in relation to the operations and expense of the branch mint at Charlotte, in North Carolina, and to the coinage of small change at said mint; which letter was ordered to lie on the table.

On motion of Mr. Bouldin,

Ordered, That the several Committees of the Whole House to which are committed bills relating to the District of Columbia, be discharged from the consideration of the same; and that the said bills be committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Bouldin,

Ordered, That the joint resolution from the Senate (No. 3) directing the manner in which certain laws of the District of Columbia shall be executed, be committed to the Committee of the Whole House on the state of the Union.

Mr. Lyon, from the Committee for the District of Columbia, reported a bill (No. 1146) to provide for the erection of a new jail in the city of Washington, in the District of Columbia; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

A motion was made by Mr. Loomis that the rules in relation to the order of business be suspended, to enable him to move the following resolution:

Resolved, That the Select Committee to investigate the defalcations of Samuel Swartwout and others, be instructed to transmit to the House, through the Speaker, the journal of their proceedings up to this time, and daily hereafter, during the residue of their session, and that the same be printed for the use of the House; and that so much of the resolution as authorizes said committee to employ a printer be rescinded from this date; and that said committee be further instructed to hold their meetings publicly.

And on the question, Shall the rules be suspended for the purpose aforesaid?

It passed in the negative, { Yeas, 85,
Nays, 92.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Liam Banks
William Beatty
Cyrus Beers
Andrew Beirne
Beunet Bicknell
Samuel Birdsall
Isaac H. Bronson
Andrew Buchanan
C. C. Cambreleng
John Campbell
Zadok Casey
John Chaney
Jesse F. Cleveland
William K. Clowney
Walter Coles
Henry W. Connor
Robert Craig
Isaac E. Cray
Samuel Cushman
Thomas Davee
John I. De Graff
James Farrington
Jacob Fry, jr.
Albert Gallup
Thomas Glascock
Abraham P. Grant

Mr. Elisha Haley
Robert H. Hammond
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Orrin Holt
Benjamin C. Howard
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Joshua L. Martin
James J. McKay
Robert M. Clellan
Abraham McClellan
Charles McClure
John Miller
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray

Mr. William H. Noble
Amasa J. Parker
William Parmenter
Lemuel Paynter
Isaac S. Pennybacker
David Petrikin
Lancelot Phelps
Arnold Plumer
William W. Potter
Zadock Pratt
Luther Reily
John P. Richardson
Francis E. Rives
Samuel T. Sawyer
Daniel Sheffer
Charles Shepard
Matthias Shepler
James B. Spencer
Henry Swearingen
William Taylor
Obadiah Titus
Isaac Toucey
Henry Vail
Abraham Vanderveer
Taylor Webster
Thomas T. Whittlesey
Jared W. Williams
Archibald Yell

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John Bell
Richard Biddle
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
William B. Calhoun
John Calhoun
William B. Campbell
William B. Carter
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
George W. Crabb
Robert B. Cranston
John W. Crockett
Caleb Cushing
Edward Davies
Edmund Deberry
John Dennis
George H. Dunn
John Edwards

Mr. Franklin H. Elmore
George Evans
Horace Everett
Millard Fillmore
James Garland
Rice Garland
Joshua R. Giddings
Patrick G. Goode
William Graham
Seaton Grantland
William J. Graves
George Grennell, jr.
John K. Griffin
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Robert M. T. Hunter
Jabez Jackson
Daniel Jenifer
Henry Johnson
John P. Kennedy
Levi Lincoln
Francis S. Lyon
Richard P. Marvin

Mr. Samson Mason
Abram P. Matury
William L. May
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
John J. Milligan
Calvary Morris
Charles Naylor
Joseph C. Noyes
Luther C. Peck
John Pope
David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
Joseph F. Randolph
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
David Russell
Leverett Saltonstall
John Sergeant
Augustine H. Sheppard
Ebenezer J. Shields
William Slade

Mr. William W. Southgate
Edward Stanly
Archibald Stuart
Charles C. Stratton
Joseph L. Tillinghast

Mr. George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams

Mr. Sherrod Williams
Christopher H. Williams
Thomas J. Word
Thomas Jones Yorke.

The House, in execution of the special order of the 22d January ultimo, in relation to bills for the District of Columbia, resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Rencher reported that the committee had, according to order, had the state of the Union generally under consideration, particularly bills and resolutions of the following titles, viz :

No. 1055. A bill to incorporate the Washington City Benevolent Society;

No. 1056. A bill to incorporate the Navy Yard Beneficial Society of the City of Washington;

No. 1057. A bill to incorporate the Lafayette Beneficial Society of the City of Washington;

No. 1089. A bill to incorporate Washington's Manual Labor School and Male Orphan Asylum in the City of Washington and District of Columbia;

No. 1088. A bill to provide a free bridge across the eastern branch of the river Potomac, in the city of Washington;

No. 1146. A bill to provide for the erection of a new jail in the city of Washington, in the District of Columbia;

No. 78. A bill from the Senate to amend an act entitled "An act to establish a criminal court in the District of Columbia."

No. 646. A bill for the suppression of gaming in the District of Columbia;

No. 2. A bill from the Senate to prohibit the giving and accepting within the District of Columbia, a challenge to fight a duel, and for the punishment thereof.

No. 3. A resolution from the Senate directing the manner in which certain laws of the District of Columbia shall be executed;

No. 41. A resolution of the House to fix the salary of the physician to the penitentiary in the District of Columbia;

No. 35. A bill from the Senate making an appropriation for the support of the penitentiary in the District of Columbia;

and that he was directed to report said bills and resolutions to the House—Nos. 1055, 1056, 1057, 1146, 646, and resolutions Nos. 3, 41, and Senate bill No. 35, without amendment; Nos. 1089, 2, and 78, with an amendment to each; and No. 1088 with the enacting words stricken out.

The House proceeded to the consideration of the report of the Committee of the Whole House; when it was

Ordered, That bills Nos. 1055, 1056, 1057, 1146, and resolution No. 41, reported without amendment, be engrossed, and severally read a third time to-day; and that the bill from the Senate No. 35 and the resolution No. 3 be read a third time to-day.

The amendment reported to bill from the Senate (No. 78) was read and concurred in, and ordered to be engrossed, and read a third time to-day.

The amendment reported from the Committee of the Whole House on the state of the Union to bill No. 1089, was read and concurred in.

Ordered, That the said bill be engrossed, and read a third time to-day.

The amendment reported from the Committee of the Whole House on the state of the Union to the bill from the Senate (No. 2) entitled "An

act to prohibit the giving or accepting, within the District of Columbia, a challenge to fight a duel, and for the punishment thereof," was read; when

A motion was made by Mr. Crabb that the bill be committed to the Committee on the Judiciary, with instructions to report whether any provision of the first section thereof be unconstitutional.

A motion was made by Mr. Campbell, of South Carolina, to amend the said instructions, by adding, "and with instructions to amend the bill, making the laws of Virginia and Maryland on the subject of duelling of force in those parts of the District of Columbia respectively ceded by those States;"

And, after debate,

The previous question was moved by Mr. Bouldin; and, being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

A motion was then made by Mr. Stanly that the bill do lie on the table: which motion was decided in the negative.

The main question was then put, viz: Shall the bill be read a third time?—(the amendment and the motion to recommit being set aside by the previous question;)

And passed in the affirmative, { Yeas, 107,
 { Nays, 22.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John T. Andrews
J. Banker Aycrigg
Liam Banks
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
William Key Bond
Nathaniel B. Borden
George N. Briggs
John C. Brodhead
Isaac H. Bronson
William B. Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
Zadok Casey
John Chaney
Richard Chestham
Jesse F. Cleveland
Thomas Corwin
Robert B. Cranston
Samuel Cushman
Edward Davies
Edmund Deberry
George H. Dunc
John Edwards
Horace Everett
James Farrington
Isaac Fletcher
Albert Gallup
James Garland
Joshua K. Giddings

Mr. Patrick G. Goode
George Grennell, jr.
John K. Griffin
Elisha Haley
Robert H. Hammond
William S. Hastings
Richard Hawes
Charles E. Haynes
Thomas Henry
William Herod
Hopkins Holsey
Thomas B. Jackson
Jabez Jackson
Daniel Jenifer
Joseph Johnson
Nathaniel Jones
George M. Keim
John Klingensmith, jr.
Daniel P. Leadbetter
Levi Lincoln
Henry Logan
Arphaxed Loomis
Samson Mason
Abram P. Maury
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Thomas M. T. McKenna
Charles F. Mercer
John J. Milligan
Ely Moore
John L. Murray
Charles Naylor
William H. Noble

Mr. Amasa J. Parker
Lemuel Paynter
Luther C. Peck
Lancelot Phelps
David Potts, jr.
Zadock Pratt
John H. Provost
James Rariden
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
Francis E. Rives
Edward Robinson
David Russell
John Sergeant
Daniel Shaffer
Augustine H. Shepperd
Matthias Shepler
William Stade
James B. Spencer
Archibald Stuart
William Stone
Charles C. Stratton
John Taliaferro
Francis Thomas
Joseph L. Tillinghast
Obadiah Titus
Isaac Toucey
Abraham Vanderveer
Taylor Webster
Joseph Weeks
Lewis Williams
Jared W. Williams
Christopher H. Williams

Those who voted in the negative are—

Mr. James W. Bouldin
Jesse A. Bynum
Walter Coles
Henry W. Connor
George W. Crabb
George C. Dromgoole
Rice Garland
James Graham

Mr. William Graham
Thomas L. Hamer
Micajah T. Hawkins
Benjamin C. Howard
Francis S. Lyon
William Montgomery
David Petrikin

Mr. Sergeant S. Prentiss
John Robertson
George W. Towns
Joseph R. Underwood
Sherrod Williams
Thomas J. Word
Archibald Yell.

It was then

Ordered, That the bill be read a third time to-day.

A motion was then made by Mr. Bronson, that the House do reconsider the vote ordering the said bill to be read a third time.

The previous question was moved by Mr. Bouldin; and, being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

A motion was then made, at four o'clock and forty minutes, that the House do adjourn; which was decided in the negative.

The main question was then put, viz: Will the House reconsider the vote by which the said bill was ordered to be read a third time?

And passed in the negative, { Yeas, 43.
Nays, 99.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. William Beatty
John Bell
Isaac H. Bronson
Jesse A. Bynum
William B. Campbell
John Campbell
John Chambers
Walter Coles
Henry W. Connor
George W. Crabb
John Dennis
George C. Dromgoole
George H. Dunn
John Ewing
Millard Fillmore

Mr. James Garland
Rice Garland
Thomas L. Hamer
Micajah T. Hawkins
Hopkins Holsey
Daniel P. Leadbetter
Francis S. Lyon
Samson Mason
Abram P. Maury
John Miller
William Montgomery
Virgil D. Parris
David Petrikin
Sergeant S. Prentiss
Abraham Rencher

Mr. John Robertson
John Sergeant
Augustine H. Sheppard
Ebenezer J. Shields
Edward Stanly
Charles C. Stratton
John Taliaferro
Francis Thomas
George W. Towns
Joseph R. Underwood
Sherrod Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
John T. Andrews
J. Banker Ayer
Cyrus Beers
Andrew Beirne
Bennet Bicknell
William Key Bond
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
John C. Brodhead
William B. Calhoun
C. C. Cambreleng
Zadok Casey

Mr. John Chaney
Richard Cheatham
Jesse F. Cleveland
Thomas Corwin
Robert B. Cranston
Samuel Cushman
Thomas Davee
Edward Davies
Edmund Deberry
John Edwards
Horace Everett
James Farrington
Richard Fletcher
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
Joshua R. Giddings

Mr. Patrick G. Goode
William Graham
Seaton Grantland
George Grennell, jr.
John K. Griffin
Elisha Haley
William Halsted
Robert H. Hammond
William S. Hastings
Charles E. Haynes
Thomas Henry
William Herod
Benjamin C. Howard
Thomas B. Jackson
Daniel Jenifer
Joseph Johnson
Nathaniel Jones

Mr. George M. Keim	Mr. William H. Noble	Mr. David Russell
John P. Kennedy	Amasa J. Parker	Daniel Sheffer
John Klingensmith, jr.	William Parmenter	Matthias Sheplor
Levi Lincoln	Lemuel Paynter	William Slade
Henry Logan	Luther C. Peck	James B. Spencer
Arphaxad Loomis	Lancelot Phelps	Archibald Stuart
John P. B. Maxwell	David Potts, jr.	William Taylor
James J. McKay	Zadock Pratt	Joseph L. Tillinghast
Robert McClellan	John H. Prentiss	Obadiah Titus
Abraham McClellan	Harvey Putnam	Isaac Toucey
Charles McClure	James Rariden	Taylor Webster
Thomas M. T. McKennan	Joseph F. Randolph	Joseph Weeks
Charles F. Mercer	John Reed	Lewis Williams
Ely Moore	Luther Reily	Jared W. Williams
William S. Morgan	Joseph Ridgway	Joseph L. Williams
Charles Naylor	Edward Robinson	John T. H. Worthington.

Bills and a resolution from the Senate of the following titles, viz :

No. 78. An act to amend an act entitled "An act to establish a criminal court in the District of Columbia ;"

No. 35. An act making an appropriation for the support of the penitentiary in the District of Columbia ;

No. 3. Resolution directing the manner in which certain laws of the District of Columbia shall be executed ;

were severally read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Engrossed bills of the following titles, viz :

No. 1055. An act to incorporate the Washington City Benevolent Society ;

No. 1056. An act to incorporate the Navy Yard Beneficial Society of the City of Washington ;

No. 1057. An act to incorporate the Lafayette Beneficial Society of the City of Washington ;

No. 1089. An act to incorporate Washington's Manual Labor School and Male Orphan Asylum in the city of Washington and District of Columbia ;

were severally read a third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

An engrossed bill (No. 1146) entitled "An act to provide for the erection of a new jail in the city of Washington, in the District of Columbia," was read the third time, and the question was stated that it do pass; when

A motion was made by Mr. Petrikin, that the said bill be recommitted to the Committee for the District of Columbia, with instructions to reduce the appropriation of money therein contained from thirty thousand dollars to fifteen thousand dollars.

The previous question was moved by Mr. Bouldin, and, being demanded by a majority of the members present,

The said previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative.

The main question was then put, viz : Shall the bill pass?—(the motion to recommit being set aside by the previous question,)

And passed in the affirmative.

A motion was then made, at ten minutes past five o'clock, that the House do adjourn ; which was decided in the negative.

An engrossed resolution (No. 41) to fix the salary of the physician to the penitentiary in the District of Columbia, was read the third time; and the question was stated, Shall it pass ? when

A motion was made by Mr. Cushman, that it lie on the table; which was decided in the negative.

A motion was made by Mr. Petrikin, at a quarter past five o'clock, that the House do adjourn; which was decided in the negative.

The question was then put, Shall the resolution pass?

And passed in the negative.

The bill from the Senate (No. 2) entitled "An act to prohibit the giving or accepting, within the District of Columbia, a challenge to fight a duel, and for the punishment thereof, was read the third time; and the question was stated, Shall it pass?

A motion was made by Mr. Petrikin, at twenty minutes past five o'clock, that the House do adjourn; which was decided in the negative;

And, after debate,

A motion was made by Mr. Rencher, at twenty-two minutes past five o'clock, that the House do adjourn; and decided in the negative.

A motion was made by Mr. Robinson, of Maine, that there be a call of the House; and decided in the negative.

A motion was made by Mr. Christopher H. Williams, of Tennessee, at twenty-five minutes past five o'clock, that the House do adjourn; and decided in the negative.

On motion of Mr. Parris, a call of the House was then ordered; and the roll being twice called, the following named members were found to be absent:

Messrs. Hugh J. Anderson, Charles G. Atherton, Linn Banks, Richard Biddle, Samuel Birdsall, Ratliff Boon, Andrew Buchanan, Jesse A. Bynum, John Calhoun, William B. Carter, John Chaney, Reuben Chapman, Timothy Childs, Jesse F. Cleveland, Charles D. Coffin, Robert Craig, Isaac E. Crary, John W. Crockett, Edward Curtis, Caleb Cushing, Edward Darlington, William C. Dawson, John I. De Graff, John Dennis, Alexander Duncan, John Edwards, Franklin H. Elmore, George Evans, James Farrington, Henry A. Foster, Thomas Glascock, James Graham, Abraham P. Grant, William J. Graves, Hiram Gray, George Grennell, jr., John E. Griffin, Robert H. Hammond, James Harlan, Albert G. Harrison, Alexander Harper, Richard Hawes, Charles E. Haynes, Ogden Hoffman, Hopkins Holsey, William H. Hunter, Daniel Jenifer, Henry Johnson, William Cost Johnson, John W. Jones, Gouverneur Kemble, John P. Kennedy, John Klingensmith, jr., Hugh S. Legare, Dixon H. Lewis, Francis S. Lyon, Richard P. Marvin, Joshua L. Martin, Abram P. Maury, William L. May, Charles McClure, John J. Milligan, John Miller, Charles F. Mitchell, William Montgomery, Ely Moore, Mathias Morris, Samuel W. Morris, Calvary Morris, Joseph C. Noyes, Charles Ogle, George W. Owens, John Palmer, James A. Pearce, Isaac S. Pennybacker, Francis W. Pickens, Arnold Plumer, John Pope, William W. Potter, James Rariden, R. Barnwell Rhett, John Robertson, Edward Rumsey, Leverett Saltonstall, Samuel T. Sawyer, Charles Shepard, Ebenezer J. Shields, Mark H. Sibley, Francis O. J. Smith, Adam W. Snyder, William W. Southgate, Henry Swearingen, John Taliaferro, Waddy Thompson, jr., George W. Towns, Hopkins L. Turney, Joseph R. Underwood, Henry Vail, Abraham Vanderveer, David D. Wagener, Joseph Weeks, Albert S. White, John White, Sherrod Williams, Henry A. Wise, Thomas Jones Yorke.

The doors were then closed, and excuses were offered and received for the non-attendance of the following-named members, viz: Google

Messrs. Andrew Buchanan, Charles D. Coffin, John W. Crockett, Edward Curtis, Edward Darlington, W. C. Dawson, John Dennis, Henry A. Foster, James Harlan, W. Cost Johnson, John W. Jones, Matthias Morris, John Palmer, James A. Pearce, Isaac S. Pennybacker, W. W. Potter, R. Barnwell Rhett, Leverett Saltonstall, Francis O. J. Smith, Adam W. Snyder, David D. Wagener, Joseph Weeks, Henry A. Wise.

A motion was made by Mr. Loomis, that further proceedings in the call be dispensed with; which was decided in the negative.

A motion was made by Mr. Rencher, at ten minutes past six o'clock, hat the House do adjourn.

And the question being put,

It passed in the negative, { Yeas, 43,
 { Nays, 77.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Bell
Nathaniel B. Borden
Isaac H. Bronson
John Campbell
William K. Clowney
Walter Coles
George W. Crabb
Samuel Cushman
George C. Dromgoole
John Ewing
Jacob Fry, jr.
James Garland
William Graham
William Halsted
Thomas L. Hamer

Mr. Micajah T. Hawkins
George W. Hopkins
Benjamin C. Howard
Robert M. T. Hunter
Jabez Jackson
Joseph Johnson
Francis Mallory
James M. Mason
Samson Mason
James J. McKay
Richard H. Menefee
John L. Murray
William H. Noble
David Petrikin

Mr. Luther Reily
Abraham Rencher
John P. Richardson
Joseph Ridgway
Francis E. Rives
John Sergeant
Edward Stanly
William Stone
Francis Thomas
George W. Toland
Taylor Webster
Thomas T. Whittlesey
Thomas J. Word
Archibald Yell.

Those who voted in the negative are—

John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
John T. Andrews
J. Banker Aycrigg
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
William Key Bond
James W. Bouldin
George N. Briggs
John C. Brothead
William B. Calhoun
Zadok Casey
John Chambers
Richard Cheatham
John C. Clark
Thomas Corwin
Robert B. Cranston.
Thomas Davee
Edward Davies
Edmund Deberry
George H. Dunn
Horace Everett

Mr. Richard Fletcher
Millard Fillmore
Albert Gallup
Patrick G. Goode
Seaton Grantland
Eliasha Haley
Hiland Hall
William S. Hastings
Thomas Henry
William Herod
Orrin Holt
Samuel Ingham
Thomas B. Jackson
Nathaniel Jones
Daniel P. Leadbetter
Levi Lincoln
Henry Logan
Arphaxed Loomis
John P. B. Maxwell
Robert McClellan
Abraham McClellan
Thomas M. T. McKennan
Charles F. Mercer
William S. Morgan
Charles Naylor
Amasa J. Parker

Mr. William Parmenter
Virgil D. Parris
Lemuel Paynter
Luther C. Peck
Lancelot Phelps
David Potts, jr.
Zadock Pratt
John H. Prentiss
Harvey Putnam
Joseph F. Randolph
John Reed
Edward Robinson
David Russell
Samuel T. Sawyer
Daniel Sheffer
Matthias Sheplor
James B. Spencer
Archibald Stuart
Charles C. Stratton
Joseph L. Tillinghast
Isaac Toucey
Lewis Williams
Jared W. Williams
Christopher H. Williams
John T. H. Worthington.

A motion was made by Mr. Mallory, that the 57th rule of the House be executed.

A motion was made by Mr. Hunter, of Virginia, that further proceedings in the call be dispensed with ; and decided in the negative.

The question was then put on the motion that the 57th rule be executed, as respects the absent members ;

And passed in the affirmative.

The said 57th rule is as follows : " Upon the call of the House, the names of the members shall be called over by the Clerk, and the absentees noted ; after which, the names of the absentees shall again be called over ; the doors shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, if fifteen in number, be taken into custody as they appear, or be sent for, and taken into custody wherever to be found, by special messengers to be appointed for that purpose."

The Sergeant-at-arms, and special messengers under his direction, were ordered to execute the said 57th rule, as relates to the following-named absent members, viz :

Messrs. Hugh J. Anderson, Charles G. Atherton, Linn Banks, Richard Biddle, Samuel Birdsall, Ratliff Boon, Jesse A. Bynum, John Calhoun, William B. Carter, John Chaney, Reuben Chapman, Timothy Childs, Jesse F. Cleveland, Robert Craig, Isaac E. Cray, Caleb Cushing, John I. De Graff, Alexander Duncan, John Edwards, Franklin H. Elmore, George Evans, James Farrington, Thomas Glascock, James Graham, Abraham P. Grant, William J. Graves, Hiram Gray, George Grennell, jr., John E. Griffin, Robert H. Hammond, Albert G. Harrison, Alexander Harper, Richard Hawes, Charles E. Haynes, Ogden Hoffman, Hopkins Holsey, William H. Hunter, Daniel Jenifer, Henry Johnson, Gouverneur Kemble, John P. Kennedy, John Klingensmith, jr., Hugh S. Legare, Dixon H. Lewis, Francis S. Lyon, Richard P. Marvin, Joshua L. Martin, Abram P. Maury, William L. May, Charles McClure, John J. Milligan, John Miller, Charles F. Mitchell, William Montgomery, Ely Moore, Samuel W. Morris, Calvary Morris, Joseph C. Noyes, Charles Ogle, George W. Owens, Francis W. Pickens, Arnold Plumer, John Pope, James Rariden, John Robertson, Edward Rumsey, Samuel T. Sawyer, Charles Shepard, Ebenezer J. Shields, Mark H. Sibley, William W. Southgate, Henry Swearingen, John Taliaferro, Waddy Thompson, jr., George W. Towns, Hopkins L. Turney, Joseph R. Underwood, Henry Vail, Abraham Vanderveer, Albert S. White, John White, Sherrod Williams, Thomas Jones Yorke.

A motion was made by Mr. Bell, that further proceedings in the call be dispensed with ; which was decided in the negative.

A motion was made by Mr. Parris, at thirty-five minutes past five o'clock, that the House do adjourn ;

And the question being put,

It passed in the negative, { Yeas, 50.
 { Nays, 73.

The yeas and nays being desired by one-fifth of the members present. Those who voted in the affirmative are—

Mr. William Beatty
Andrew Beirne
John Bell
Nathaniel B. Borden
Isaac H. Bronson

Mr. William B. Calhoun
Richard Cheatham
John C. Clark
William K. Clowney
Walter Coles

Mr. George W. Crabb
George C. Dromgoole
John Ewing
Jacob Fry, jr.
James Garland

Mr. William Graham
William J. Graves
William Halsted
Thomas L. Hamer
Micajah T. Hawkins
Robert M. T. Hunter
Joseph Johnson
Francis Mallory
James M. Mason
Samson Mason
Joshua L. Martin
James J. McKay

Mr. William S. Morgan
William H. Noble
Charles Ogle
Virgil D. Parris
David Petrikin
Luther Reily
Abraham Rencher
John P. Richardson
Joseph Ridgway
Francis E. Rives
Samuel T. Sawyer
John Sergeant

Mr. Matthias Shepler
Edward Stanly
William Stone
William Taylor
Francis Thomas
George W. Toland
Taylor Webster
Joseph L. Williams
Christopher H. Williams
Thomas J. Word
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
John T. Andrews
J. Banker Aycrigg
Cyrus Beers
Bennet Bicknell
William Key Bond
James W. Bouldin
George N. Briggs
John C. Brodhead
Zadok Casey
John Chambers
Thomas Corwin
Robert B. Cranston
Samuel Cushman
Thomas Davee
Edward Davies
Edmund Deberry
George H. Dunn
Horace Everett
Richard Fletcher
Millard Fillmore
Patrick G. Goode

Mr. Seaton Grantland
Elisha Haley
Hiland Hall
William S. Hastings
Thomas Henry
William Herod
Orrin Holt
Benjamin C. Howard
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Daniel Jenifer
Nathaniel Jones
George M. Keim
John P. Kennedy
Daniel P. Leadbetter
Levi Lincoln
Henry Logan
Arphaxed Loomis
John P. B. Maxwell
Robert McClellan
Abraham McClellan
Thomas M. T. McKennan
Richard H. Menefee

Mr. Charles F. Mercer
Charles Naylor
Amasa J. Parker
William Parmenter
Lemuel Paynter
Luther C. Peck
David Potts, jr.
Zadock Pratt
John H. Prentiss
John Reed
Edward Robinson
David Russell
Daniel Sheffer
William Slade
James B. Spencer
Archibald Stuart
Charles C. Stratton
Joseph L. Tillinghast
Obadiah Titus
Hopkins L. Turney
Thomas T. Whittlesey
Lewis Williams
Jared W. Williams
John T. H. Worthington.

Mr. Gray, Mr. Graves, Mr. Sawyer, Mr. Turney, Mr. Banks, Mr. Birdsall, Mr. Kennedy, Mr. Jenifer, Mr. Harper, Mr. Grennell, Mr. Montgomery, Mr. Marvin, and Mr. Harrison, severally came into the Hall, under the order of the House, and were, separately, addressed by the Speaker as follows: "You have been absent from the service of this House, without the leave of the House, and contrary to its laws; if you have any excuse or reason to offer for such absence, it will be heard;" when

Excuses being separately offered, it was severally ordered that they be "admitted to their seats," without the payment of fees.

And then, on motion of Mr. Sawyer, further proceedings in the call were dispensed with; and the doors were opened.

The House again resumed the consideration of the bill from the Senate (No. 2) entitled "An act to prohibit the giving or accepting, within the District of Columbia, a challenge to fight a duel, and for the punishment thereof."

And the question was put, Shall the bill pass?

And passed in the affirmative, { Yeas, 110,
Nays, 16.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.

Mr. Heman Allen
John W. Allen

Mr. John T. Andrews
J. Banker Aycrigg

Mr. Linn Banks
 William Beatty
 Cyrus Beers
 Andrew Beirne
 John Bell
 Bennet Bicknell
 Samuel Birdsall
 William Key Bond
 Nathaniel B. Borden
 George N. Briggs
 John C. Brodhead
 Isaac H. Brunson
 William B. Calhoun
 John Campbell
 Zadok Casey
 Richard Cheatham
 John C. Clark
 William K. Clowney
 Thomas Corwin
 Robert B. Cranston
 Samuel Cushman
 Thomas Davee
 Edward Davies
 Edmund Deberry
 George H. Dunn
 Horace Everett
 Richard Fletcher
 Millard Fillmore
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 Joshua R. Giddings
 Patrick G. Goode
 William Graham
 Seaton Grandland

Mr. Abraham P. Grant
 Hiram Gray
 George Grennell, jr.
 Elisha Haley
 Hiland Hall
 William Halsted
 Alexander Harper
 William S. Hastings
 Richard Hawes
 Thomas Henry
 William Herod
 Orrin Holt
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 John P. Kennedy
 Daniel P. Leadbetter
 Levi Lincoln
 Henry Logan
 Arphaxed Loomis
 Richard P. Marvin
 Samson Mason
 John P. B. Maxwell
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Thomas M. T. McKennau
 Charles F. Mercer
 William S. Morgan
 Charles Naylor
 William H. Noble
 Amasa J. Parker

Mr. William Parmenter
 Lemuel Paynter
 Luther C. Peck
 Isaac Peck
 David Potts, jr.
 Zadock Pratt
 John H. Prentiss
 Harvey Putnam
 Joseph F. Randolph
 John Reed
 Luther Reily
 Abraham Rencher
 Joseph Ridgway
 Edward Robinson
 David Russell
 John Sergeant
 Daniel Sheffer
 Matthias Shepler
 William Slade
 James B. Spencer
 Archibald Stuart
 Charles C. Stratton
 John Taliaferro
 William Taylor
 Joseph L. Tillinghast
 Obadiah Titus
 George W. Toland
 Isaac Toucey
 Taylor Webster
 Thomas T. Whittlesey
 Lewis Williams
 Jared W. Williams
 Jno. T. H. Worthington
 Thomas Jones Yorks

Those who voted in the negative are—

Mr. James W. Bouldin
 John Calhoun
 William B. Campbell
 John Chambers
 Walter Coles
 George C. Dromgoole

Mr. Thomas L. Hamer
 Albert G. Harrison
 Micajah T. Hawkins
 Benjamin C. Howard
 William Montgomery

Mr. David Petrikin
 Samuel T. Sawyer
 Francis Thomas
 Hopkins L. Turney
 Thomas J. Word.

Ordered, That the Clerk acquaint the Senate therewith.

And then, at half-past seven o'clock, the House adjourned until tomorrow eleven o'clock in the forenoon.

THURSDAY, FEBRUARY 14, 1839.

A message from the Senate, by Mr. Dickens, their Secretary:

Mr. Speaker: The Senate have passed a joint resolution (No. 11) "authorizing certain certificates of deposit to be cancelled and reissued;" in which I am directed to ask the concurrence of this House. The Senate have also passed the bill of this House (No. 1091) entitled "An act to repeal the proviso to the second section of an act approved the 3d March, 1837, which authorizes the Secretary of the Treasury to compromise the claims of the United States against certain banks."

The President of the United States did, on the 6th, approve and sign enrolled bills of the following titles:

No. 76. An act for the relief of Jechonius Pigot and Benjamin Leacraft

sureties of James Manney, late collector of the customs for the district of Beaufort, in the State of North Carolina.

No. 77. An act to remit or refund to the Philadelphia, Wilmington, and Baltimore Railroad Company the duties upon certain railroad iron.

No. 7. An act for the relief of William East.

No. 5. An act for the relief of the heirs of John Braham, late receiver of public moneys at Huntsville, Alabama.

No. 42. An act for the relief of John Newton.

No. 14. An act for the relief of Erastus Fairbanks and Thaddeus Fairbanks.

No. 13. An act for the relief of Elisha Town.

No. 16. An act for the relief of Sarah Angel, and the other heirs of Benjamin King, deceased.

No. 51. An act for the relief of Jean B. Valle.

No. 56. An act for the relief of the owners of the British brig Despatch.

No. 57. An act to remunerate the captors of the privateer Lydia.

No. 21. An act to confirm the sale of certain reservations.

No. 15. An act for the relief of Thomas Sumpter.

No. 177. An act to amend an act to carry into effect the intention of an act entitled "An act to renew the patent of Thomas Blanchard," approved June 13, 1834.

No. 186. An act for the relief of William B. Ferguson and sureties.

No. 203. An act for the relief of Doctor John Campbell White, of Baltimore, in the State of Maryland.

No. 169. An act for the relief of Henry Wilson, confirming purchases of certain land in Arkansas.

No. 9. A resolution for the purchase of the island at the confluence of the St. Peter's and Mississippi rivers.

The House resumed the consideration of the resolutions reported on Thursday, the 7th of February instant, by Mr. William Cost Johnson, of Maryland, from the Select Committee appointed on the 29th of December, 1838, on a report from the Secretary of the Treasury, containing information respecting the donations of public land, the quantity surveyed, and the plans for dividing the same, or the proceeds thereof; with other information connected with the public lands.

The question recurred on the motion made by Mr. Robertson, of Virginia, on Thursday last, to amend the said resolutions; and, after debate, the hour elapsed, and the debate was suspended.

A motion was made by Mr. Cambreleng that the rules in relation to the order of business be suspended, to enable him to present to the House a memorial of the collector of the customs of the port of New York;

And on the question, "Shall the rule be suspended for the purpose aforesaid?"

There appeared, { Yeas, 124,
 { Nays, 72.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty

Mr. Andrew Beirne
Bennet Bicknell
Samuel Birdsall
Nathaniel B. Borden
James W. Bouldin
John C. Brodhead
Isaac H. Bronson

Mr. Andrew Buchanan
William B. Calhoun
C. C. Cambreleng
John Campbell
William B. Carter
Zadok Casey
John Chambers

Mr. Reuben Chapman
 William K. Clowney
 Walter Coles
 Henry W. Connor
 Robert Craig
 Isaac E. Cray
 Samuel Cushman
 Thomas Davee
 John I. De Graff
 George C. Dromgoole
 Alexander Duncan
 George H. Dunn
 Franklin H. Elmore
 James Farrington
 Millard Fillmore
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 James Graham
 William Graham
 Seaton Grantland
 Abraham P. Grant
 Hiram Gray
 George Grennell, jr.
 John K. Griffin
 Elisha Haley
 Robert H. Hammond
 Albert G. Harrison
 Alexander Harper
 Micajah T. Hawkins
 Charles E. Haynes
 William Herod
 Ogden Hoffman
 Hopkins Holsay
 Orrin Holt

Mr. Robert M. T. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 Henry Johnson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 Gouverneur Kemble
 John P. Kennedy
 John Klingensmith, jr.
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 Joshua L. Martin
 Richard P. Marvin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 John J. Milligan
 John Miller
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 John L. Murray
 William H. Noble
 John Palmer
 Amasa J. Parker
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter

Mr. Isaac S. Pennybacker
 David Patrikin
 Francis W. Pickens
 Arnold Plumer
 David Potts, jr.
 Zadock Pratt
 John H. Prentiss
 Luther Reily
 John P. Richardson
 Francis E. Rives
 John Robertson
 Samuel T. Sawyer
 Daniel Sheffer
 Charles Shepard
 Matthias Shepler
 William Slade
 William W. Southgate
 James B. Spencer
 Archibald Stuart
 Henry Swearingen
 John Taliaferro
 William Taylor
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Henry Vail
 Abraham Vanderveer
 Taylor Webster
 Joseph Weeks
 Jared W. Williams
 John T. H. Worthington
 Archibald Yell.

Those who voted in the negative are—

Mr. James Alexander, jr.
 Heman Allen
 J. Banker Aycrigg
 John Bell
 William Key Bond
 George N. Briggs
 John Calhoun
 Richard Cheatham
 Timothy Childs
 John C. Clark
 George W. Crabb
 Robert B. Cranston
 John W. Crockett
 Caleb Cushing
 Edward Darlington
 Edward Davies
 Edmund Deberry
 John Dennis
 George Evans
 Horace Everett
 John Ewing
 Rice Garland
 Joshua R. Giddings
 Patrick G. Goede

Mr. William J. Graves
 William Halsted
 William S. Hastings
 Richard Hawes
 Thomas Henry
 Levi Lincoln
 Francis Mallory
 Samson Mason
 Abram P. Ma ry
 William L. May
 John P. B. Maxwell
 Richard H. Menefee
 Charles F. Mercer
 Charles F. Mitchell
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle
 James A. Pearce
 Luther C. Peck
 Sergeant S. Prentiss
 Harvey Putnam
 James Rariden
 Joseph F. Randolph

Mr. John Reed
 Abraham Rencher
 Joseph Ridgway
 Edward Robinson
 David Russell
 Leverett Saltonstall
 John Sergeant
 Augustine H. Shepperd
 Ebenezer J. Shields
 Mark H. Sibley
 Edward Stanly
 William Stone
 Charles C. Stratton
 Joseph I. Tillinghast
 George W. Toland
 Joseph R. Underwood
 Albert S. White
 John White
 Lewis Williams
 Sherrod Williams
 Joseph L. Williams
 Christopher H. Williams
 Thomas J. Word
 Thomas Jones York.

Two-thirds not voting in the affirmative, the question was lost.

The Speaker laid before the House a letter from the Secretary of the Navy, transmitting copies of the charges preferred by Charles C. Barton,

a passed midshipman, against Captain Jesse D. Elliott, of the United States navy, while in command of the Mediterranean squadron; together with all communications in relation to said charges on file in the Navy Department.

The said letter was read; when

Mr. Naylor submitted the following resolution:

Resolved, That the report be referred to a select committee of seven members, to be appointed to inquire into the official conduct of Captain Jesse D. Elliott, of the United States navy, while in command of the squadron in the Mediterranean in the years 1837 and 1838; and particularly into the allegations of tyranny and oppression towards the officers under his command; and that the said committee have power to send for persons and papers, and have leave of absence from the service of the House while engaged in the inquiries committed to them by this resolution.

And, after debate,

The previous question was moved by Mr. Cambreleng; and, being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Will the House agree to the resolution submitted by Mr. Naylor?

And passed in the affirmative.

Mr. Naylor, Mr. McClure, Mr. Hoffman, Mr. Ingham, Mr. Mallory, Mr. Hamer, and Mr. Lyon, were appointed a committee pursuant to said resolution.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting a statement, prepared in obedience to the order of the House of the 11th instant, of the annual value of imports from 1789 to 1837, the amount of duties, and the cost of collection, and of the annual expenditure of the Government for the same period; which letter and statements were laid on the table.

The Speaker laid before the House a letter from the Secretary of the Navy, transmitting the information called for by the House on the 11th instant, respecting the pay and promotion promised to officers of the exploring expedition; which letter was read, and laid on the table.

Mr. Cambreleng submitted to the House a letter from the Secretary of the Treasury to the Committee of Ways and Means, accompanied by a letter from the collector of the port of New York, stating the loss, at Liverpool, in England, of three American packet-ships, and a large British ship, three of which were laden with merchandise for New York; by which loss the revenue for the next sixty days is expected to be seriously impaired.

Ordered, That said communication do lie on the table.

On motion of Mr. Howard,

Ordered, That the message of the President of the United States of the 6th, communicated to the House on the 11th instant, transmitting information called for by the House on the 28th January, in relation to certain recent transactions and disturbances on the frontiers of the United States and Canada, and to the territorial relations of the United States and Great Britain; also, the message of the President of the United States of

the 9th February instant, communicated on the 11th instant, containing information touching the destruction of the steamboat *Caroline* at Schlos-ser, during the last winter, be referred to the Committee on Foreign Affairs.

Mr. Cambreleng presented to the House a letter from the Secretary of the Treasury to the Committee of Ways and Means, stating that the branch of the Bank of Alabama, at Mobile, has again suspended specie payment, and suggesting the expediency of providing further means for the public service, in lieu of the amount expected to be received from that bank and other banks who may follow the example; which letter was laid on the table.

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839, and had come to no resolution thereon.

And then, at five o'clock, the House adjourned until to-morrow, eleven o'clock in the forenoon.

FRIDAY, FEBRUARY 15, 1839.

The Speaker laid before the House a letter from the Comptroller of the Treasury, transmitting, in compliance with the provisions of the act of 3d of March, 1809, a list of balances standing on the books of the revenue, which have remained unsettled by collectors of the customs and others, which have been due more than three years prior to the 30th of September, 1838.

Ordered, That the said letter do lie on the table.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, to wit:

No. 35. An act making an appropriation for the support of the penitentiary in the District of Columbia;

No. 206. An act for the relief of the securities of Elias T. Langham, late surveyor of the public lands for the States of Missouri and Illinois:

No. 939. An act to amend "An act to reorganize the district courts of the United States in the State of Mississippi," approved June 18, 1838;

No. 1091. An act to repeal the proviso to the second section of an act approved the 3d of March, 1837, which authorized the Secretary of the Treasury to compromise the claims of the United States against certain banks;

And resolution No. 3, directing the manner in which certain laws of the District of Columbia shall be executed;

and found the same correctly enrolled; when

The Speaker signed the said bills and resolution.

Mr. Hoffman asked to be excused from serving on the committee appointed yesterday, with directions to make certain inquiries into the official conduct of Commodore Jesse D. Elliott, of the United States navy; and, his request being granted, it was

Ordered, That another member be appointed of said committee, in his place; and

Mr. Chambers was appointed.

The House resumed the consideration of the resolutions reported on Thursday, the 7th of February instant, by Mr. William Cost Johnson, of Maryland, from the Select Committee appointed on the 29th of December, 1838, on a report from the Secretary of the Treasury, containing information respecting the donations of public land, the quantity surveyed, the plans for dividing the same, or the proceeds thereof, with other information connected with the public lands.

The question recurred on the motion made by Mr. Robertson, of Virginia, on Thursday, the 7th instant, to amend the said resolutions ;

Aud, after debate,

The hour elapsed, and the debate was suspended.

A motion was made by Mr. Shields, that the rule which sets apart Friday and Saturday for the consideration of private bills and private business in preference to any other, be suspended for this day ; and that the House do proceed to consider the public business on the Speaker's table in the order in which it stands ; when it was

Ordered, That the said motion do lie on the table.

A motion was made by Mr. Cambreleng, that the rule which sets apart Friday and Saturday for the consideration of private bills and private business in preference to any other, be suspended for this day ; and that the House do proceed with the consideration of the several bills making appropriation for the public service ;

And the question being put,

It passed in the affirmative, (two-thirds voting therefor,) { Yeas, 124,
Nays, 58.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Ayer
Linn Banks
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Richard Biddle
Samuel Birdeall
William Key Bond
Nathaniel B. Borden
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
John Calhoun
C. C. Cambreleng
John Campbell
John Chaney
Jesse P. Cleveland
William K. Clowney
Walter Coles
Henry W. Connor
Robert Craig
Isaac E. Cray
Robert B. Cranston
Caleb Cushing
Samuel Cushman
Thomas Davee

Mr. Edmund Deberry
John L. De Graff
George C. Dromgoole
Alexander Duncan
George H. Duan
John Edwards
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
Joshua R. Giddings
James Graham
William Graham
Hiram Gray
George Grennell, jr.
John K. Griffin
Hiland Hall
Robert H. Hammond
Thomas L. Hamer
Albert G. Harrison
Richard Hawes
Micajah T. Hawkins
Charles E. Haynes
Ogden Hoffman
Orrin Holt
Benjamin C. Howard
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Joseph Johnson

Mr. Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Levi Lincoln
Henry Logan
Arphaxed Loomis
Francis Mallory
Richard P. Marvin
James M. Mason
John P. B. Maxwell
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
Ely Moore
Samuel W. Morris
William H. Noble
Joseph C. Noyes
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
Isaac S. Pennybaker
Francis W. Pickens
Arnold Plumer
Zadock Pratt
John H. Prentiss

Mr. Harvey Putnam
Joseph F. Randolph
John Reed
Luther Reily
Abraham Rencher
R. Barnwell Rhett
John P. Richardson
John Robertson
Edward Robinson
Samuel T. Sawyer
Daniel Sheffer

Mr. Augustine H. Shepperd
Matthias Sheplor
James B. Spencer
Charles C. Stratton
Henry Swearingen
William Taylor
Obadiah Titus
Isaac Toucey
George W. Towns
Abraham Vanderveer

Mr. Taylor Webster
Joseph Weeks
Albert S. White
John White
Thomas T. Whittleary
Lewis Williams
Jared W. Williams
Joseph L. Williams
Thomas J. Word
John T. H. Worthington

Those who voted in the negative are—

Mr. James Alexander, jr.
John W. Allen
George N. Briggs
William B. Calhoun
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
Timothy Childs
Thomas Corwin
George W. Crabb
John W. Crockett
Edward Darlington
John Dennis
Franklin H. Elmore
George Evans
Horace Everett
John Ewing
Millard Fillmore

Mr. Rice Garland
Patrick G. Goode
William J. Graves
Elisha Haley
Alexander Harper
Thomas Henry
William Herod
John P. Kennedy
Francis S. Lyon
Thomas M. T. McKennan
Richard H. Menefee
William S. Morgan
Calvary Morris
Charles Naylor
James A. Pearce
Luther C. Peck
David Petrikin
David Potts, jr.
Sergeant S. Prentiss

Mr. James Rariden
Joseph Ridgway
Leverett Saltonstall
Ebenezer J. Shields
Mark H. Sibley
William Slade
Adam W. Snyder
William W. Southgate
Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
Waddy Thompson, jr.
George W. Toland
Hopkins L. Turney
Joseph R. Underwood
Sherrod Williams
Christopher H. Williams
Thomas Jones Yorke

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839, and had come to no resolution thereon.

On motion of Mr. Cambreleng,

Ordered, That the bill (No. 982) to amend an act to authorize the issuing of Treasury notes to meet the current expenses of Government for the year 1838, be committed to the Committee of the Whole House on the state of the Union.

And then, at a quarter after five o'clock, the House adjourned until tomorrow, at eleven o'clock in the forenoon.

SATURDAY, FEBRUARY 16, 1839.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed bills of the following titles: ¹⁰
wit:

- No. 93. An act for the relief of Asa Armington and others;
- No. 98. An act for the relief of Joseph Bassett;
- No. 115. An act to fix the compensation of the senior clerk employed in the Adjutant General's office;
- No. 129. An act for the relief of the Nantucket Steamboat Company;
- No. 130. An act for the relief of Elisha Eldridge;

No. 137. An act to authorize Peter Warner, of Indiana, to purchase a certain half section of land ;

No. 135. An act for the relief of certain settlers on the public lands, who were deprived of the benefits of the act granting pre-emption rights, which was approved on the nineteenth of June, eighteen hundred and thirty-four ;

No. 136. An act authorizing the relinquishment of the sixteenth sections granted for the use of schools, and the entry of other lands in lieu thereof ;

No. 145. An act respecting the heirs of Agnes Dundas ;
in which I am directed to ask the concurrence of this House.

And then he withdrew.

The House resumed the consideration of the resolutions reported on Thursday, the 7th of February instant, by Mr. William Cost Johnson, of Maryland, from the Select Committee appointed on the 29th of December, 1838, on a report from the Secretary of the Treasury containing information respecting the donations of public land, the quantity surveyed, and the plans for dividing the same, or the proceeds thereof, with other information connected with the public land.

The question recurred on the motion made by Mr. Robertson, of Virginia, on the 7th instant, to amend the said resolutions ;

And, after debate, the hour elapsed, and the debate was suspended.

The rule being suspended for the purpose,

Mr. Biddle presented a memorial of citizens of the city of New Orleans, praying that prompt and efficient measures may be taken to coerce the Government of Mexico into a sense of justice, and thereby obtain redress and indemnification for every outrage and injury committed on the persons and property of our citizens, as well as those on our national flag ; which memorial was referred to the Committee on Foreign Affairs.

A motion was made by Mr. Casey, that the rules in relation to the order of business be suspended, to enable him to move the following resolutions :

Whereas, by the act of Congress regulating the deposit of the public money in the State banks, approved June 23, 1836, it was provided that at least one bank be selected in each State or Territory, if any such existed willing to be employed as a depository of the public money : and whereas there are two banks in the State of Illinois, both of them solvent and safe, neither of which is now employed as the depository of the public money collected in said State : and whereas the money so collected in Illinois is deposited in the State Bank of Missouri, to the manifest injury of the said banks of Illinois, and the people of the State : and whereas the Secretary of the Treasury, under the provisions of the act of 1789, has selected many banks which would have been excluded from the benefits of the deposit act of 1836, as depositories of the public money, which said banks, in common with the banks of Illinois, could not have been selected as depositories of the public money under the provisions of the act of 1836 : Therefore,

Resolved, That the Secretary of the Treasury inform this House at what time the Bank of the State of Missouri was made a deposit bank, and what amount of its own notes said bank had in circulation, and what amount of specie it had in its vaults, when it was selected ; that he state particularly the amount of specie said bank had in its vaults on the 5th of July, and on the 16th of August, 1837 ; also, that he inform this House

of the amount of money received for public lands in the State of Illinois, and deposited in said bank since it has been selected as such depository.

Resolved, That the Secretary inform this House why he may not, under the act of Congress of 1789, select one or both of the banks of Illinois as depositories of the public money collected in said State, should it satisfactorily appear that the said banks are solvent specie-paying banks, and would be safe depositories of the public money.

And on the question being put, Shall the rules be suspended for the purpose aforesaid?

There appeared,	{ Yeas,	: : : : : 99.
	{ Nays,	: : : : : 67.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. James Alexander, jr.	Mr. Seaton Grantland	Mr. John Pope
Heman Allen	William J. Graves	David Potts, jr.
J. Banker Ayrcrigg	George Grannell, jr.	Sergeant S. Prentiss
William Beatty	John K. Griffin	James Rariden
John Bell	William Halsted	Joseph F. Randolph
Richard Biddle	Albert G. Harrison	Abraham Rencher
William Key Bond	Alexander Harper	Joseph Ridgway
Nathaniel B. Borden	Richard Hawes	John Robertson
George N. Briggs	Thomas Henry	Edward Robinson
Andrew Buchanan	William Herod	Edward Rumsey
William B. Campbell	Ogden Hoffman	Leverett Saltonstall
William B. Carter	Benjamin C. Howard	Augustine H. Sheppert
Zadok Casey	Jabez Jackson	Ebenezer J. Shields
Richard Chestham	Henry Johnson	Mark H. Sibley
Thomas Corwin	George M. Kein	Adam W. Snyder
Robert B. Cranston	Gouverneur Kemble	William W. Southgate
John W. Crockett	Levi Lincoln	Edward Stanly
Edward Darlington	Richard P. Marvin	Archibald Stuart
Thomas Davee	James M. Mason	Charles C. Stratton
Edward Davies	Samson Mason	Joseph L. Tillinghast
John I. De Graff	Abram P. Maury	George W. Toland
George H. Dunn	John P. B. Maxwell	Henry Vail
John Edwards	Thomas M. T. McKennan	Albert S. White
George Evans	Richard H. Menefee	John White
John Ewing	Charles F. Mercer	Lewis Williams
Richard Fletcher	Samuel W. Morris	Sherrod Williams
Isaac Fletcher	William H. Noble	Christopher H. Williams
Millard Fillmore	Joseph C. Noyes	Thomas J. Word
Rice Garland	William Parmenter	Archibald Yell
Joshua R. Giddings	James A. Pearce	Thomas Jones Yorks.
William Graham	Arnold Plumer	

Those who voted in the negative are—

Mr. John Quincy Adams	Mr. Samuel Cushman	Mr. Nathaniel Jones
Charles G. Atherton	Edmund Deberry	John P. Kennedy
Linn Banks	John Dennis	John Klingsmith, jr.
Cyrus Beers	George C. Dromgoole	Daniel P. Leadbetter
Andrew Beirne	Franklin H. Elmore	Dixon H. Lewis
Bennet Bicknell	Horace Everett	Arphaxed Loomis
William B. Calhoun	Jacob Fry, jr.	Joshua L. Martin
C. C. Cambreleng	Albert Gallup	James J. McKay
John Chaney	James Graham	Robert McClellan
Reuben Chapman	Hiram Gray	Abraham McClellan
Jesse F. Cleveland	Elisha Haley	John J. Milligan
William K. Clowney	Robert H. Hammond	John Miller
Walter Coles	Micajah T. Hawkins	William Montgomery
Henry W. Connor	Charles E. Haynes	Ely Moore
George W. Crabb	Hopkins Holsey	William S. Morgan
Isaac E. Crary	Joseph Johnson	Amasa J. Parker

Mr. Lemuel Paynter
Luther C. Peck
Isaac S. Pennybacker
David Petrikin
Francis W. Pickens
Zadock Pratt
John P. Richardson

Mr. Francis E. Rives
Samuel T. Sawyer
Matthias Sheplor
James B. Spencer
Henry Swearingen
William Taylor

Mr. Waddy Thompson, jr.
Hopkins L. Turney
Taylor Webster
Jared W. Williams
Joseph L. Williams
John T. H. Worthington.

Two-thirds not voting in the affirmative, the question was lost.

On motion of Mr. Word,

Ordered, That the Committee on the Public Lands be discharged from the consideration of the bill from the Senate (No. 49) entitled "An act for the relief of Joseph Bogy," and that it be referred to the Committee on Private Land Claims.

On motion of Mr. Word,

Ordered, That the Committee on the Public Lands be discharged from the consideration of the bill from the Senate (No. 44) entitled "An act to authorize the issuing of a patent to the heirs or legal representatives of Francis Rivard, deceased," and that it be referred to the Committee on Private Land Claims.

On motion of Mr. Word,

Ordered, That the Committee on the Public Lands be discharged from the consideration of the petitions of Samuel Norris and Frederick Son-grain, Joseph W. Spivey and Benjamin W. Sweaney, and that said petitions do lie on the table.

On motion of Mr. Lincoln,

Ordered, That the Committee on the Public Lands be discharged from the consideration of the petition of citizens of Wisconsin, west of the Mississippi river, (now Iowa,) for the erection of a penitentiary, and that it be laid on the table.

Mr. Chapman, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 116) entitled "An act for the relief of the assignee of Louis Baron De Ferriet," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

A motion was made by Mr. Lincoln that the House do reconsider the vote by which said bill was ordered to be read a third time.

Mr. Toucey, from the Committee on the Judiciary, to which was referred the bill from the Senate (No. 107) entitled "An act for the relief of Jabez L. White and Asa White," made a report thereon.

Ordered, That the said bill be read a third time to-day.

Mr. Corwin, from the Committee on the Judiciary, to which was referred the bill from the Senate (No. 18) entitled "An act to prevent the counterfeiting of any foreign copper, gold, silver, or other coin, and to prevent the bringing into the United States, or uttering, any counterfeit foreign copper, gold, silver, or other coin," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

Mr. Garland, of Louisiana, from the Committee on Private Land Claims, to which was referred the bill from the Senate (No. 48) entitled "An act to confirm claims to lands in the district between the Rio Hondo and Sabine rivers," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Garland, of Louisiana, from the Committee on Private Land Claims, to which was referred the bill from the Senate (No. 112) entitled "An act for the relief of Charles Morgan, of Louisiana," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Garland, of Louisiana, from the Committee on Private Land Claims, to which was referred the bill from the Senate (No. 164) entitled "An act for the relief of Juan Belgar," reported the same with amendments thereto.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Crabb, from the Committee on Private Land Claims, to which was referred the bill from the Senate (No. 6) entitled "An act for the relief of William Jones," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

Mr. Rariden, from the Committee on Private Land Claims, to which was referred the bill from the Senate (No. 20) entitled "An act for the relief of Obed P. Lacey," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

Mr. Rariden, from the Committee on Private Land Claims, made an unfavorable report upon the petition of Jesse H. Willis, assignee of James Minnie; which report was ordered to lie upon the table.

On motion of Mr. Crabb,

Ordered, That the Committee on Private Land Claims be discharged from the consideration of the petition of William Stringer, and that it do lie on the table.

Mr. John Quincy Adams, from the Committee on Manufactures, reported an amendment to bill No. 1048, to authorize the importation, free of duty, of the iron materials for certain iron vessels, embracing the case of James S. Calhoun; which amendment was committed to the Committee of the Whole House to which said bill is committed.

On motion of Mr. John Quincy Adams,

Ordered, That the Committee on Manufactures be discharged from the consideration of the petition of the manufacturers of starch, in Boston, in Massachusetts, and that the said petition be committed to the Committee of the Whole House to which is committed the bill to impose a duty on starch.

On motion of Mr. Deberry,

Ordered, That the Committee on Agriculture be discharged from the consideration of the petition of J. P. Espy, on the subject of rain, and that it lie on the table.

Mr. Everett, from the Committee on Indian Affairs, to which was referred the bill from the Senate (No. 207) entitled "An act supplementary to the act entitled 'An act to provide for the organization of the department of Indian affairs,' " and "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier," approved June 30, 1834, reported the same with amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Petrikin, from the Committee on Indian Affairs, reported a bill (No. 1147) for the relief of the legal representatives of William Ander-

son, deceased, accompanied by a report; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Bell, from the Committee on Indian Affairs, to which was referred the bill from the Senate (No. 208) entitled "An act to authorize the appointment of three additional clerks in the office of the Commissioner of Indian Affairs," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Craig, from the Committee on Revolutionary Claims, to which was referred the bill from the Senate (No. 4) entitled "An act for the relief of Pierre Menard and others," reported the same without amendment, and recommended that the said bill do not pass.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

On motion of Mr. Craig,

Resolved, That the Committee on Revolutionary Claims be discharged from the further consideration of the several memorials, petitions, &c., which are now upon the table, and unacted on; and that said committee have leave to place the same in the custody of the Clerk of the House.

On motion of Mr. Coles,

Ordered, That the Committee on Military Affairs be discharged from the consideration of the petition of the heirs of Brackett Baldwin, and that the said petition do lie on the table. Also, from the petition of Mary W. Thompson, and that it be referred to the Committee of Claims.

On motion of Mr. McClellan, of Tennessee,

Ordered, That the Committee on Military Affairs be discharged from the consideration of the petition of Joseph Barclay, and that it do lie on the table.

Mr. McKay, from the Committee on Military Affairs, to which was referred the bill from the Senate (No. 84) entitled "An act for the relief of Captain Snodgrass's company of Alabama volunteers," reported the same with amendments.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. McKay, from the Committee on Military Affairs, reported a bill (No. 1148) making an appropriation for the repair and rebuilding of the wharves of the forts in the harbor of New York; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. McKay, from the Committee on Military Affairs, made unfavorable reports upon the petition of inhabitants of Springfield, in the State of Massachusetts, for a retrocession of the jurisdiction of the United States over the territory of the armory at Springfield, in said State; and the petition of citizens of Virginia, for the erection of a bridge across the Shenandoah river, on the public land at Harper's Ferry.

Ordered, That said reports do lie on the table.

On motion of Mr. McKay,

Ordered, That the Committee on Military Affairs be discharged from the consideration of the cases of Major Sylvester Churchill and John Delgarn, and that they do lie on the table.

Mr. Cushing, from the Committee on Foreign Affairs, to which was re-

ferred a message from the President of the United States, together with a resolution of the House, in relation to the territory of the United States beyond the Rocky mountains, made a further report thereon; which report was committed to the Committee of the Whole House on the state of the Union, and ten thousand copies extra thereof were ordered to be printed; and a like number of copies extra of the map of the Territory of Oregon, accompanying the said report, were ordered to be printed, under the direction of the Topographical bureau, for the use of the members of the House.

On motion of Mr. Bronson,

Ordered, That the Committee on the Territories be discharged from the consideration of the memorial and resolution of the Legislative Council of the Territory of Florida for permission to sell school lands, and that the same be referred to the Committee on the Public Lands.

Mr. Morgan, from the Committee on Revolutionary Pensions, reported a bill (No. 1149) for the relief of Anne Watson; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Morgan, from the Committee on Revolutionary Pensions, reported a bill (No. 1150) for the relief of Henry Peyton; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Johnson, of Virginia, from the Committee on Revolutionary Pensions, made a report upon the petition of James Boylan, accompanied by a bill (No. 1151) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Fry, from the Committee on Revolutionary Pensions, made a report upon the petition of Job Holsey, accompanied by a bill (No. 1152) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Johnson, of Virginia,

Ordered, That the Committee on Revolutionary Pensions be discharged from the further consideration of the petition of Margaret Askins, and that the same do lie on the table.

Mr. Bond, from the Committee on Revolutionary Pensions, made an unfavorable report upon the petition of Alexander Williamson; which report was ordered to lie on the table.

On motion of Mr. Everett, from the Committee on Indian Affairs,

The House proceeded to the consideration of the resolution moved by Mr. Everett on the 22d January, and laid on the table one day under the rule; and the resolution being read, was agreed to, and is as follows:

Resolved, That the Secretary of War be directed to lay before this House copies of the instructions given for negotiating the treaties with the Pottawatamie Indians of the 20th, 26th, and 27th October, 1832; and of all the correspondence of or with the Department before and after those dates, relating to the negotiation of said treaties, or to the execution, before the ratification of the same; and also copies of all the bills of purchase of all goods, merchandise, and horses delivered to said Indians, or other persons, during the said negotiation, or at the time of signing said treaties, for any purpose, or subsequently delivered in execution of the same; together with a statement of the expenses of negotiating said treaties, with the names of the persons to whom paid, and the sum paid to each.

Mr. Taylor, from the Committee on Invalid Pensions, to which was referred the bill from the Senate (No. 11) entitled "An act for the relief of John McLeod," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

On motion of Mr. Johnson, of Louisiana,

Ordered, That the bill (No. 697) to revive an act supplementary to an act entitled "An act to authorize the inhabitants of the State of Louisiana to enter back lands," be committed to a Committee of the Whole House to-morrow.

On motion of Mr. Ewing,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the petition of James Frazier, and that the same be referred to the Committee on Naval Affairs.

Mr. Plumer, from the Committee on Invalid Pensions, made a report upon the petition of Burnett Birdsall, accompanied by a bill (No. 1153) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Heman Allen, from the Committee on Invalid Pensions, made a report upon the petition of John E. Wright, accompanied by a bill (No. 1154) for his relief; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Heman Allen, from the Committee on Invalid Pensions, reported the following bills, to wit :

No. 1155. A bill for the relief of Thomas Wilson ;

No. 1156. A bill for the relief of Randolph Carter ;
accompanied by reports in said cases; which bills were severally read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Heman Allen, from the Committee on Invalid Pensions, made unfavorable reports upon the petitions of James Campbell and Francis Griffith; which reports were ordered to lie on the table.

On motion of Mr. Heman Allen,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the petition of Daniel Fielding, and that it do lie on the table.

On motion of Mr. Heman Allen,

Ordered, That leave be given to withdraw the petition and papers of Joseph Beeman.

Mr. Sherrod Williams, from the Committee on Invalid Pensions, made an unfavorable report upon the petition of David Morse; which report was ordered to lie on the table.

Mr. Mercer, from the Committee on Roads and Canals, reported a bill (No. 1157) to authorize certain internal improvements, to institute and continue certain surveys, and for other purposes; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Crabb,

Ordered, That the Committee on Roads and Canals be discharged from the consideration of the memorial of inhabitants of Taladega, in the State of Alabama, remonstrating against an exclusive appropriation of the two per cent. fund, reserved of the nett proceeds of lands sold in said

State, to a particular work of internal improvement; and that it be committed to the Committee of the Whole House on the state of the Union.

Mr. Fletcher, of Vermont, from the Committee on Patents, reported a bill (No. 1158) in addition to "An act to promote the progress of the useful arts;" which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Fletcher, of Vermont, from the Committee on Patents, reported a bill (No. 1159) for the relief of John W. Faunce and Oliver Perrin; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Fletcher, of Vermont,

Ordered, That the Committee on Patents be discharged from the further consideration of the inquiry, ordered on the 11th instant, into the expediency of providing by law for refunding to applicants the fees they may have paid for a reissue or modification of their patents when they shall have failed to obtain the same; and that the same do lie on the table.

On motion of Mr. Robinson, of Maine,

Ordered, That the Committee on Patents be discharged from the consideration of the petition of George Gray, and that it do lie on the table.

On motion of Mr. Mitchell,

Ordered, That the Committee on Invalid Pensions be discharged from the petition of Major Thomas Harrison, and that the petitioner have leave to withdraw the same.

Mr. Darlington, from the Committee of Claims, made unfavorable reports on the cases of John McCrea and Harvey Wakefield, and of W. G. Saunders; which reports were laid on the table.

Ordered, That the Committee on Invalid Pensions be discharged from the further consideration of the cases of Richard B. Brumfield, Abraham N. Brevoort, Joseph M. Rhea, John Aston, William Scott, Thomas Bronaugh, Joseph Bowlen, Joseph Brown, Martha Green, Isaac Allen, Augustus Bradford, Elisha Diming, Thomas Baker, Moses Smith, John Croft, Barbara Forbes, Calvin Goodno, and Eleazar Allen; and that the said cases do lie on the table.

On motion of Mr. Taylor,

Ordered, That the Committee on Invalid Pensions be discharged from the consideration of the case of Major Charles Larrabee; and that leave be given to withdraw the same.

On motion of Mr. Morgan,

Ordered, That the Committee on Revolutionary Pensions be discharged from the consideration of the cases of Dorothea B. Buckner, David Carswell, Joanna Smith, Susan Patton, Catharine Hayward, Mary Williams, Phoebe Smith, Margaret Steel, Joseph Roberts, Abigail Allen, and Joseph Parker; and that the said cases do lie on the table.

On motion of Mr. McKennan,

Ordered, That the Committee on Roads and Canals be discharged from the consideration of the several memorials of the Legislative Council of the Territory of Wisconsin, and of citizens of said Territory, for various improvements therein, upon which the committee have not reported; and that the said memorials do lie on the table.

On motion of Mr. Evans,

Ordered, That the Committee on Roads and Canals be discharged from

the memorial of inhabitants of St. Augustine, in Florida, for the construction of a railroad to Picolata ; the papers in relation to a bridge near Pensacola ; the petition of inhabitants of Florida relative to the Iola road, and the petition of Colonel James Gadsden ; and that the said petitions and papers do lie on the table.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States enrolled bills and a resolution of the following titles, viz :

No. 939. An act to amend " An act to reorganize the district courts of the United States in the State of Mississippi," approved June 18, 1838.

No. 1091. An act to repeal the proviso to the second section of an act approved the 3d of March, 1837, which authorized the Secretary of the Treasury to compromise the claims of the United States against certain banks.

No. 35. An act making an appropriation for the support of the penitentiary in the District of Columbia.

No. 206. An act for the relief of the securities of Elias T. Langham, late surveyor of the public lands for the States of Missouri and Illinois.

No. 3. Resolution directing the manner in which certain laws of the District of Columbia shall be executed.

Mr. John Quincy Adams, from the Committee on the Smithsonian Bequest, reported a bill (No. 1160) to provide for the disposal and management of the sum bequeathed by James Smithson to the United States for the establishment of an institution for the increase and diffusion of knowledge among men ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. John Quincy Adams, from the same committee, reported another bill (No. 1161) to provide for the disposal and management of the sum bequeathed by James Smithson to the United States for the establishment of an institution for the increase and diffusion of knowledge among men ; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. McKay, from the Select Committee on the subject, reported the following order :

Ordered, That 5,000 copies extra be printed of the report by Mr. Hunter, of Virginia, from the Select Committee appointed on the 14th of January ultimo, on the subject of collecting and disbursing the public revenue.

And, on the question that the House do agree to the said order,
It passed in the affirmative.

Mr. Pope, from the Joint Committee on the Library, to which the subject was referred on the 9th of January ultimo, reported a joint resolution (No. 49) in relation to indexes to the journals and documents of Congress from the organization of the Government ; which resolution was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Pope, from the Joint Library Committee, reported the following joint resolution, (No 50 ;) which was read the first and second time, and committed to the Committee of the Whole House on the state of the Union :

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Clerk of this House be directed to subscribe for one copy of Niles's National Register for each county clerk in every congressional district in those States in which clerk's offices are established, and one copy for every officer in those States in which said offices are not established, whose duties approximate most closely to the duties of the clerks aforesaid; and also one copy of said Register to each member of Congress: *Provided,* The editor of said Register will agree to publish in, or as a part of, said work, under the direction of the Speaker of this House, the entire journals of both Houses of Congress, with the yeas and nays, and all questions decided, and (at the end of every session) all the laws passed, and the treaties ratified thereat; and furnish the clerks and other officers aforesaid, and all who are now subscribers, or may hereafter become subscribers, to said Register, with one copy of said journal and laws respectively, without any addition to the subscription price.

Resolved, That said subscription commence with and include the journals and laws of the present Congress.

The Speaker laid before the House a letter from the Secretary of the Navy, transmitting a copy of a letter from Commodore J. D. Elliott, enclosing the proceedings of the court martial on the trial of Lieutenant C. G. Hunter, of the United States navy, with sundry papers connected with said trial; also, papers in relation to the presentation of a service of plate to Commodore Jesse D. Elliott by the crew of the frigate Constitution; which letter and accompanying papers were referred to the Select Committee appointed yesterday on the official conduct of said Commodore Elliott.

The House then (by consent) resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839, and the bill (No. 982) to amend an act to authorize the issuing of Treasury notes, to meet the current expenses of Government for the year 1838; which last-mentioned bill he was directed to report to the House without amendment, and that the committee had come to no resolution on the first-mentioned bill.

Ordered, That the said bill (No. 982) to amend an act to authorize the issuing of Treasury notes, be engrossed, and read a third time on Monday next.

And the House, at a quarter past four o'clock, adjourned until Monday next, the 18th instant, at eleven o'clock in the forenoon.

MONDAY, FEBRUARY 18, 1839.

A message was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary, notifying that the President did, on the 13th instant, approve and sign enrolled bills of the following titles, viz:

No. 893. An act making appropriations for the payment of revolutionary and other pensioners of the United States for the year 1838.

No. 1092. An act to provide for the location and temporary support of the Seminole Indians removed from Florida.

And, on the 16th instant,

No. 939. An act to amend an "Act to reorganize the district courts of the United States, in the State of Mississippi," approved June 18, 1838.

No. 1091. An act to repeal the proviso to the second section of an act approved the 3d of March, 1837, which authorized the Secretary of the Treasury to compromise the claims of the United States against certain banks.

The rules being suspended for the purpose of receiving the same,

Mr. Mallory submitted the following resolution; which was read, and laid on the table one day, under the rule, viz:

Resolved, That, for the more effectual execution of the ministerial duties of the Navy Department, the Secretary of the Navy be directed to report to this House, at the commencement of the next Congress, a plan for the reorganization of this branch of the public service, adopting, as the basis of his plan, a division of those duties now performed by the Board of Commissioners, and their assignment to separate bureaus.

The rules being suspended for the purpose of receiving the same,

A motion was made by Mr. Christopher H. Williams, that the States be not called to-day for the presentation of petitions; and that members be authorized to hand petitions to the Clerk at the Clerk's table; and that petitions so handed in be entered by the Clerk in the same manner as if presented in the usual form.

A motion was made by Mr. Calhoun, of Massachusetts, that the motion do lie on the table; which was decided in the negative.

The question was then put that the House do agree to the motion made by Mr. Christopher H. Williams,

And passed in the affirmative, two-thirds voting therefor.

A message from the Senate, by Mr. Dickins, their Secretary.

Mr. Speaker: The President of the United States has notified the Senate that he did, on the 16th instant, approve and sign enrolled bills of the following titles, viz:

No. 206. An act for the relief of the securities of Elias T. Langham, late surveyor of public lands for the States of Missouri and Illinois.

No. 35. An act making appropriations for the support of the penitentiary in the District of Columbia.

No. 3. A resolution directing the manner in which certain laws of the District of Columbia shall be executed.

The Senate have concurred in the amendment of this House to the bill (No. 78) entitled "An act to amend an act entitled "An act to establish a criminal court in the District of Columbia.'"

The Senate have passed bills and a resolution of the following titles, viz:

No. 28. An act for the relief of Michael Ambrisier;

No. 101. An act to extend the jurisdiction of the corporation of the city of Washington over the Potomac bridge;

No. 273. An act to incorporate Georgetown College, in the District of Columbia;

No. 299. An act supplemental to the "act granting certain city lots to the corporation of the Columbia College, for the purposes therein mentioned," approved the 14th day of July, 1832;

No. 8. Joint resolution authorizing the opening of an alley, and the execution of certain deeds, in the city of Washington ; in which bills and resolution, I am directed to ask the concurrence of this House. And then he withdrew.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz :

No. 2. An act to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof :

No. 78. An act to amend an act entitled " An act to establish a criminal court in the District of Columbia ; " and found the same to be truly enrolled ; when the Speaker signed the said bills.

Mr. Rice Garland presented resolutions adopted by the General Assembly of the State of Louisiana ; which resolutions were read and laid on the table, and are as follows, viz :

STATE OF LOUISIANA.

SEC. 1. *Resolved by the Senate and House of Representatives of the State of Louisiana in General Assembly convened,* That the revenue of the United States, whether derived from duties on imports, sales of public lands, taxes, or other sources, belongs to the people, to be raised for their use and benefit ; therefore, the power to provide for the custody and control of it should rest with their representatives, as free as possible from Executive direction.

SEC. 2. *Be it further resolved,* That the dues of the Government, whether for duties on imports, the public lands, postage on letters, or taxes, ought to be receivable in the same currency that the people generally receive and give in payment, to wit : in gold and silver, or the notes of solvent banks, convertible into specie.

SEC. 3. *Be it further resolved,* That, in the opinion of this Legislature, solvent banks are safer depositories of the public money than individuals ; and, for the fiscal purposes of the Government, we have the authority of the present Secretary of the Treasury, and others high authority, for saying they are " a class of agents economical, convenient, and useful ; " and we have the same authority for saying that personal agencies, in the keeping and transmitting of the public revenue, ought to be avoided, in all practicable cases, because they are less convenient, less secure, and more complex, if not more expensive, than bank agencies.

SEC. 4. *Be it further resolved,* That this Legislature is, and we believe a large majority of the people of this State are, opposed to the system of keeping and transmitting the public revenue by personal agencies, whenever it can be avoided : because it is inconvenient, insecure, and expensive ; because it is calculated to increase the power of the Executive branch of the General Government, by adding to the number of the Executive appointments, giving too much control to the President over the finances and fiscal action of the Government ; because it is adverse to the general interests of the country.

SEC. 5. *Be it further resolved,* That the idea of an exclusive metallic currency, for the use of the people, or of the General Government, is now impracticable, and opposed to the best interests of the state ; and any attempt to make gold and silver, or Treasury notes, the exclusive medium of payment of dues to the General Government, meets the decided disapprobation of this Legislature.

SEC. 6. *Be it further resolved,* That we concur fully in the opinions expressed by James Madison, late President of the United States, in his message to Congress delivered on the 31st day of December, in the year 1816, that " for the interests of the community at large, as well as for the purposes of the Treasury, it is essential that the nation should possess a currency of equal value, credit, and use, wherever it may circulate ; the constitution has intrusted Congress exclusively with the power of creating and regulating a currency of that description ; " and we believe the power ought to be exercised as early as possible.

Sec. 7. *Be it further resolved*, That the constitutionality of a national bank has been sanctioned by General Washington, assented to by James Madison, and conceded by other distinguished patriots and statesmen; that Congress and the highest judicial tribunals of the country have confirmed it; and we can now scarcely consider it an open question.

Sec. 8. *Be it further resolved*, That, in the opinion of this Legislature, a national bank, properly constituted, (due regard being had to the rights of the States,) cannot fail to be an important auxiliary in carrying into effect the power of Congress to create and regulate a currency of equal value, credit, and use, wherever it may circulate, and to facilitate the fiscal operations of the General Government.

Sec. 9. *Be it further resolved*, That our Senators and Representatives in Congress be requested, by all fair and honorable means to carry into effect the principles and opinions asserted in these resolutions, and vote, on all questions that may be presented for their consideration, as will in the best manner sustain the true intent and meaning of them.

Sec. 10. *And be it further resolved*, That the Governor of the State be requested to transmit, without delay, to each of our Senators and Representatives in Congress, copies of these resolutions, to be laid before their respective Houses.

WM. DEBUYS,

Speaker of the House of Representatives.

FELIX GARCIA,

President of the Senate.

Approved, February 6, 1839.

A. B. ROMAN,

Governor of the State of Louisiana.

Mr. Ingham, from the Committee on Naval Affairs, to which was referred the bill from the Senate (No. 55) entitled "An act to regulate the pay of masters in the navy," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House on the state of the Union.

The House resumed the consideration of the resolutions reported, on Thursday the 7th of February instant, by Mr. William Cost Johnson, of Maryland, from the Select Committee appointed on the 29th December, 1836, on a report from the Secretary of the Treasury containing information respecting the donations of public land, the quantity surveyed, and the plans for dividing the same, or the proceeds thereof, with other information connected with the public land.

The question recurred on the motion made by Mr. Robertson, of Virginia, on the 7th instant, to amend the said resolutions.

And, after debate, the hour elapsed, and the debate was suspended: when

A motion was made by Mr. Robertson that the rules in relation to the order of business be suspended to enable him to submit a motion that the said resolutions be committed to the Committee of the Whole House on the state of the Union, and be made the special order of the day for to-morrow, and the next day thereafter, from and after half-past one o'clock, in preference to any other business.

And on the question, that the House do agree to this motion,

It passed in the negative, {	Yeas,	62,
	Nays,	106.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
Richard Biddle
Nathaniel B. Borden
William B. Calhoun
John Calhoun
William B. Carter
John Chambers
Timothy Childs
Thomas Corwin
Robert B. Cranston
Caleb Cushing
Edward Darlington
Edward Davies
Edmund Deberry
John Dennis
George H. Dunn
John Ewing
Patrick G. Goode
James Graham
Seaton Grantland

Mr. William J. Graves
Hiram Gray
George Grennell, jr.
William Halsted
Albert G. Harrison
Alexander Harper
William S. Hastings
Richard Hawes
Levi Lincoln
James M. Mason
Samson Mason
Joshua L. Martin
Thomas M. T. McKennan
Richard H. Menefee
John J. Milligan
William Montgomery
Joseph C. Noyes
Charles Ogle
James A. Pearce
David Potts, jr.
Joseph F. Randolph

Mr. John Reed
Joseph Ridgway
John Robertson
Edward Rumsey
Leverett Saltonstall
Augustine H. Shepperd
Mark H. Sibley
William W. Southgate
Edward Stanly
Charles C. Stratton
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
Obadiah Titus
Joseph R. Underwood
John White
Lewis Williams
Joseph L. Williams
Archibald Yell
Thomas Jones York

Those who voted in the negative are—

Mr. James Alexander, jr.
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
C. C. Cambreleng
Zadok Casey
Reuben Chapman
Richard Cheatham
John C. Clark
William K. Clowney
Walter Coles
Henry W. Connor
Robert Craig
Isaac E. Cray
John W. Crockett
Samuel Cushman
Thomas Davee
John I. De Graff
George C. Dromgoole
John Edwards
George Evans
Horace Everett
James Farrington
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
James Garland

Mr. Rice Garland
Joshua R. Giddings
Abraham P. Grant
Robert H. Hammond
Thomas L. Hamer
Micajah T. Hawkins
Charles E. Haynes
Thomas Henry
Hopkins Holsey
Orrin Holt
Samuel Ingham
Jabez Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Abram P. Maury
William L. May
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
Charles F. Mitchell
William S. Morgan
Samuel W. Morris
John L. Murray
Charles Naylor
William H. Noble
John Palmer

Mr. William Parmenter
Virgil D. Parris
Lemuel Paynter
Isaac S. Pennybacker
David Petrikin
Francis W. Pickens
Arnold Plumer
John H. Prentiss
Sergeant S. Prentiss
James Rariden
Luther Reilly
John P. Richardson
Francis E. Rives
Samuel T. Sawyer
Daniel Sheffer
Ebeneszer J. Shields
Matthias Shepler
Adam W. Snyder
James B. Spencer
Archibald Stuart
William Stone
William Taylor
George W. Toland
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
Taylor Webster
Albert S. White
Sherrod Williams
Jared W. Williams
Christopher H. Williams
Thomas J. Word
John T. H. Worthington

Bills from the Senate of the following titles, viz :

No. 93. An act for the relief of Asa Armington and others ;

No. 98. An act for the relief of Joseph Bassett ;

No. 115. An act to fix the compensation of the senior clerk employed in the Adjutant General's office;

No. 129. An act for the relief of the Nantucket Steamboat Company;

No. 130. An act for the relief of Elisha Eldridge;

No. 136. An act authorizing the relinquishment of the sixteenth sections granted for the use of schools, and the entry of other lands in lieu thereof;

No. 137. An act to authorize Peter Warner, of Indiana, to purchase a certain half section of land;

No. 135. An act for the relief of certain settlers on the public lands, who were deprived of the benefits of the act granting pre-emption rights which was approved on the 19th of June, 1834;

No. 145. An act respecting the heirs of Agnes Dundas;

No. 11. Joint resolution authorizing certain certificates of deposit to be cancelled and reissued;

were severally read the first and second time, and referred—

No. 93, to the Committee of the Whole House to-morrow.

No. 98, to the Committee on Revolutionary Pensions.

No. 115, to the Committee on Military Affairs.

No. 129, to the Committee on the Post Office and Post Roads.

No. 130, to the Committee on Commerce.

No. 136, to the Committee on the Public Lands.

No. 137, to the Committee on Private Land Claims.

No. 135, to the Committee on the Public Lands.

No. 145, to the Committee of the Whole House to-morrow.

No. 11, to the Committee on the Public Lands.

Mr. Doty presented a statement of the condition of the affairs of the Mineral Point Bank, in the Territory of Wisconsin, taken from the report of a committee appointed by the Legislature of that Territory to examine the condition of the banks in the said Territory; which statement was ordered to lie on the table.

Mr. McClellan, of New York, presented the petition of Angelica Gilbert, of Hudson, in the State of New York, only surviving child of Captain Joseph Olney, presented heretofore January 15, 1838.

Mr. McClure presented a petition of John Smith, of the borough of Carlisle, in the State of Pennsylvania, a soldier of the revolutionary war, praying remuneration for his revolutionary services.

Mr. Plumer presented a petition of Casper M. Rouse, of the State of Pennsylvania, in behalf of himself and the other heirs of Casper Rouse, deceased, praying remuneration for losses sustained by his ancestor upon continental money, received in the time of the revolutionary war.

Ordered, That the said petitions be referred to the Committee on Revolutionary Claims.

Mr. Doty presented two petitions of inhabitants of Milwaukee, in the Territory of Wisconsin, praying an appropriation for the construction of a harbor at Milwaukee.

Mr. Downing presented a resolution of the Governor and Legislative Council of Florida, in favor of an appropriation for making a survey of the bar at the mouth of the river St. John's, in East Florida.

Mr. Goode presented a petition of Charles C. P. Hunt, collector of the customs for the district of Miami, in the State of Ohio, praying an increase of his salary.

Mr. John Quincy Adams presented a petition of citizens of Quincy, Braintree, and Weymouth, in the State of Massachusetts, praying an appropriation to remove obstructions in the centre of the channel of Weymouth Fore river, near its mouth.

Mr. John Quincy Adams presented a like petition of other citizens of Braintree and Weymouth, in the State of Massachusetts.

Ordered, That the said petition and resolution be referred to the Committee on Commerce.

Mr. Downing presented a petition of members of the Legislature of the Territory of Florida, praying a division of the eastern district of the said Territory from the middle or western district.

Mr. Downing presented a memorial of citizens of Appalachicola, in the Territory of Florida, remonstrating against the sanction of Congress being granted to the charter of the "Bank of Appalachicola," in said Territory.

Ordered, That the said petition and memorial be referred to the Committee on the Territories.

Mr. Harrison presented a petition of Abner J. Adair, of Van Buren county, in the State of Missouri, administrator of the estate of Wyatt Adkins, deceased, praying indemnity for depredations committed by the Osage Indians; which petition was referred to the Committee on Indian Affairs.

Mr. Cranston presented a petition of Gabriel Hicks, of the State of Rhode Island, a soldier of the revolutionary war, praying for a pension.

Mr. Cranston presented a petition of Mary Hicks, of the State of Rhode Island, widow of Abraham Hicks, deceased, praying a pension in consideration of the revolutionary services of her husband, performed in the revenue service.

Mr. Cranston presented a petition of Susannah Borden, of the State of Rhode Island, widow of Josiah Borden, deceased, praying that the revolutionary pension of her husband may be continued to her.

Mr. Casey presented a petition of Polly Paddock, of Paddock's Grove, widow of Caius Paddock, who was a soldier of the revolutionary war, praying for a pension in consideration of the services of her husband.

Mr. Haley presented a petition of Amy Brown, of Groton, in the State of Connecticut, daughter of Nathaniel Adams, deceased, praying for a pension on account of the services of her ancestor.

Mr. Grennell presented a petition of Asenath Campbell, of Williamsburg, in the State of New Hampshire, widow of James Miller, who was a soldier of the Revolution, praying for a pension in consideration of the services of her husband.

Mr. Ingham presented a petition of Anna Dennis, of the State of Connecticut, widow of Stephen Billings, a revolutionary soldier, praying for a pension in consideration of the services of her husband.

Mr. Noyes presented a petition of Sophia Delesdernier, of Eastport, in the State of Maine, widow of Lewis Frederick Delesdernier, deceased, who was a soldier of the Revolution, praying that the pension of her late husband may be continued to her.

Mr. Borden presented a petition of Sally Day, of Mansfield, in the county of Bristol, Massachusetts, widow of Samuel Day, deceased, who was a soldier of the Revolution, praying for a pension in consideration of the services of her husband.

Mr. Deberry presented a petition of Winey Porter, of Anson county, North Carolina, widow of Solomon Porter, who was a soldier of the Revolution, praying for a pension in consideration of the services of her husband.

Mr. Taylor presented a petition of citizens of the State of New York, who are revolutionary pensioners, praying an increase of their pensions.

Mr. Pennybacker presented a petition of George Riley, of Warren county, in the State of Virginia, a soldier of the Revolution, praying for a pension.

Mr. John Quincy Adams presented a memorial of Nathan Estabrook, of the State of Massachusetts, praying that the bounty of Government may be extended to the survivors of a band of patriots organized in 1774, in Massachusetts, and who made the first attack upon the British at Concord on the 19th of April, 1775.

Ordered, That the said petitions be referred to the Committee on Revolutionary Pensions.

Mr. Chapman, of Alabama, presented a memorial of citizens of Alabama, in behalf of Elisha Moreland, Robert J. Kennedy, and Madison E. Lewis, of Madison county, in said State, praying for pre-emption claims in lieu of those of which they have been deprived, and on which they had made improvements; which memorial was referred to the Committee on Private Land Claims.

Mr. Naylor presented a memorial of Walter R. Johnson, of the city of Philadelphia, praying a settlement of his claim against the Navy Department, for expenses incurred as a member of the scientific corps of the South-sea surveying and exploring expedition.

Mr. Ingham presented a memorial of William Boerum, of the navy of the United States, praying to be allowed the pay of flag captain, having performed duties as such officer on board the frigate Constitution in the Mediterranean.

Mr. Cushing presented a petition of Joseph Stanwood and William Stanwood, heirs of William Stanwood, deceased, late of Newbury, in the State of Massachusetts, praying remuneration for services rendered by their father in the naval service of the United States, about the year 1799.

Ordered, That the said petition and memorials be referred to the Committee on Naval Affairs.

Mr. Calvary Morris presented two memorials of citizens of the State of Ohio, praying an appropriation for the improvement of the Ohio river; which memorials were ordered to lie on the table.

Mr. Chapman, of Iowa, presented a petition of citizens of Rockingham, in the Territory of Iowa, praying for the establishment of a land office at Rockingham; which petition was referred to the Committee on the Public Lands.

Mr. Briggs presented a memorial of Jacob Gideon, jr., a practical printer, of the city of Washington, in the District of Columbia, praying that an experiment may be made of employing a *practical printer* to execute the printing of Congress; which memorial was referred to the Select Committee appointed at the last session of Congress upon the memorial of Francis P. Blair, which committee was instructed to make certain inquiries as regards the printing of Congress.

Mr. Reed presented a petition of inhabitants of the county of Barnstable, in the State of Massachusetts, praying the erection of a light-house

on Centreville beach, on the Vineyard sound; which petition was referred to the Committee on Commerce.

Mr. Hastings presented a petition of Azubah Harrington, of New Salem, in the State of Massachusetts, widow of Sardius Stone, Thomas Bryant, and John Harrington, respectively and successively, all of whom were soldiers of the Revolution, praying for a pension in consideration of the services of her said several husbands.

Mr. Hastings presented a petition of Amasa Dunbar, of Sharon, in the State of Massachusetts, in behalf of himself and the other heirs of Relief Dunbar, deceased, praying remuneration for services of their ancestor rendered in the time of the revolutionary war.

Ordered, That the said petitions be referred to the Committee on Revolutionary Pensions.

Mr. McClellan, of Tennessee, presented a petition of Laban Williams, of Hawkins county, in Tennessee, praying remuneration for services rendered and disabilities incurred in the service of the United States during the war of 1812 with Great Britain; which petition was referred to the Committee on Invalid Pensions.

Mr. Noble presented a petition of citizens of Cayuga county, in the State of New York, praying for an improvement of the harbor at Little Sodus bay, on lake Ontario; which petition was referred to the Committee on Commerce.

Mr. Naylor presented a petition of Reynell Coates, of the city of Philadelphia, praying a settlement of his claims for expenses incurred and damages sustained in the service of the United States, as a member of the scientific corps of the exploring expedition; which petition was referred to the Committee on Naval Affairs.

The Speaker presented a memorial of the Governor of the Territory of Iowa, praying permission to locate the public buildings for said Territory in the county of Johnson; and that a donation of four sections of public land may be granted for the purpose of locating, and to create a fund to aid in constructing said buildings.

Mr. Harrison presented a memorial of the General Assembly of the State of Missouri, praying the passage of an act requiring the Commissioner of the General Office, or the register of the land district where the land hereafter purchased may lie, to endorse on each patent a plat of the section in which said land lies, giving the length of the north and south, and east and west boundaries thereof, the fallings of the said lines, and a plain description of the section.

Mr. Harrison presented a certificate from William Wright, register of the land office at Palmyra, in the State of Missouri, of the grounds upon which the claim of Samuel Gladney to one hundred arpens of land was rejected at said office.

Mr. Goode presented a petition of the heirs of David Kenney, deceased, late of Shelby county, in the State of Ohio, praying the passage of an act authorizing said heirs to purchase, at the minimum price, the northeast quarter section thirty-five, township eleven, range four, in the State of Ohio, upon which their ancestor made improvements.

Mr. Chapman, of Iowa, presented a petition of inhabitants of Des Moines, in the Territory of Iowa, praying that James Anderson may be permitted to purchase a part of a sixteenth section in said Territory, upon which he has erected mills and made other valuable improvements.

Ordered, That the said petitions, memorials, &c., be referred to the Committee on the Public Lands.

The Speaker presented a memorial of J. S. Skinner, L. J. Cox, and Gideon B. Smith, accompanied by a copy of the proceedings of the convention of the friends of *silk culture* in the United States, which met at the city of Baltimore in December last; and, also, a copy of the proceedings of the "American Silk Society," formed by that convention.

Mr. Calhoun, of Massachusetts, presented a memorial of Samuel Whitmarsh, of Northampton, in the State of Massachusetts, praying Congress to make an appropriation for the purchase of his treatise entitled "*Eight years' experience and observation in the culture of the mulberry tree and silk-worm, with remarks adapted to the American system of producing raw silk for export.*"

Mr. Johnson, of Louisiana, presented a petition of Thomas J. Durant and James Fouzer, praying a grant of one thousand two hundred and eighty acres of land in the parish of Livingston, in the State of Louisiana, for the cultivation of silk.

Ordered, That the said petition and memorials be referred to the Committee on Agriculture.

Mr. May presented a memorial of Daniel Draper, sen., of Lincoln county, in Missouri, remonstrating against the passage of a bill now pending in Congress for the relief of Joseph Cochran, authorizing Cochran to enter certain lands; which memorial was referred to the Committee on Private Land Claims.

Mr. Harrison presented a memorial of the Legislature of the State of Missouri, praying an appropriation for the removal of obstructions at the mouth of the Des Moines river; which memorial was referred to the Committee on Roads and Canals.

Mr. Calvary Morris presented documents relating to the claim of David D. Varian for horses lost in the service of the United States during the war of 1812 with Great Britain; which documents were referred to the Committee of Claims.

Mr. Chapman, of Alabama, presented a memorial of the Legislature of the State of Alabama, praying a relinquishment to the State of the canal upon the Tennessee river, called the "Muscle-shoals canal;" which memorial was referred to the Committee on Roads and Canals.

Mr. Henry presented a petition of citizens of Beaver county, in the State of Pennsylvania, praying for the establishment of a national armory at the falls of Beaver river; which petition was committed to the Committee of the Whole House on the state of the Union.

Mr. Parmenter presented resolutions adopted by the democratic members of the Legislature of Massachusetts, upon the subject of the constitutional treasury, (commonly called the "sub-treasury.") and upon the currency in general; which resolutions were committed to the Committee of the Whole House on the state of the Union.

Mr. Chapman, of Iowa, presented a resolution of the Legislature of the Territory of Iowa, requesting the delegate from said Territory to solicit an appropriation for the survey of all the unsurveyed lands in said Territory to which the Indian title is extinguished.

Mr. Chapman, of Iowa, presented a petition of citizens of the Territory of Iowa, praying for the purchase of additional lands of the Indians.

Mr. Parris presented a petition of clerks in the office of the Commissioner of Indian Affairs, praying for an increase of their salaries.

Ordered, That the said petitions and resolution be referred to the Committee of Ways and Means.

Mr. Petrikin presented a petition of Samuel Raub, jr., praying that competent and suitable persons may be appointed to test his "double self-acting safety-valve," an invention designed to prevent the explosion of steam-boilers; which petition was referred to the Select Committee appointed upon the subject of steam-boilers.

Mr. Petrikin presented a memorial of a committee of citizens of Wyoming, in the State of Pennsylvania, on behalf of the "Wyoming sufferers," praying a recognition of the claim of the said sufferers for damages sustained during the revolutionary war; which memorial was ordered to be laid on the table.

Mr. Graham, of Indiana, presented two petitions of members of the Legislature of the State of Indiana, and of sundry citizens of said State, praying for the appointment of competent engineers to examine the surveys made by the Jeffersonville and New Albany Canal Company, and for a grant of additional aid to said company in the construction of their road; which petitions were referred to the Committee on Roads and Canals.

Mr. Graham, of Indiana, presented a petition of citizens of Washington, in the State of Indiana, praying that remuneration in land, provisions, &c., may be made to citizens of the United States who become permanent citizens upon the territory west of the Rocky mountains; which petition was ordered to lie on the table.

Mr. Yell presented a memorial of the Legislature of the State of Arkansas, praying for an appropriation of fifteen thousand dollars for the improvement of the Washitaw river.

Mr. Yell presented a memorial of the Legislature of the State of Arkansas, praying an appropriation of thirty thousand dollars for the construction of a road from Little Rock to Fort Smith, in said State.

Mr. Yell presented a memorial of the Legislature of the State of Arkansas, praying an appropriation of thirty thousand dollars for the purpose of bridging and repairing the road from Little Rock to Washington, in said State.

Ordered, That the said memorials do lie upon the table.

Mr. McKay presented a petition of officers of the line of the army of the United States, praying that the line of the army may be placed upon an equal footing with the several staff corps.

Mr. McKay presented a petition of citizens, late officers of the army of the United States, praying a grant of land to those officers who were engaged in the war of 1812 with Great Britain.

Ordered, That the said memorial and petition be referred to the Committee on Military Affairs.

Mr. Chapman, of Iowa, laid before the House a copy of an act of the Legislature of the Territory of Iowa, entitled "An act to incorporate the Burlington and Des Moines Transportation Company," asking the sanction of Congress to the same; which act was referred to the Committee on the Judiciary.

Mr. Cambreleng presented a memorial of Jesse Hoyt, collector at the port of New York, setting forth that his rights as a public officer and an

American citizen have been, as he conceives, grossly violated, and the most sacred rules of justice set at defiance, by the doings and omissions of the committee appointed on the 17th day of January last, to investigate the defalcations of Samuel Swartwout, and praying that the committee may be required to proceed to complete the examination of one David S. Lyon, by putting to him certain interrogatories proposed by the memorialist; and that the memorialist be furnished with a copy of all testimony criminating himself, &c.; which memorial was ordered to be laid upon the table.

Mr. Downing presented a memorial of citizens of Escambia county, in Florida, remonstrating against a grant of five hundred thousand acres of public lands for aid to the Alabama, Florida, and Georgia Railroad Company; which memorial was committed to the Committee of the Whole House on the state of the Union.

Mr. Hoffman presented a memorial of the executive committee of the American Society for the Diffusion of Useful Knowledge, praying the aid of Congress in endowing an institution for the diffusion of useful knowledge; which memorial was referred to the Committee on the Library.

Mr. Bouldin presented a memorial of George Sweeny, John C. Harkness, David A. Hall, and Samuel Burch, of the city of Washington, in the District of Columbia, praying for corporate powers to enable them to purchase, hold, improve, and advance the price of real estate in the said city; which memorial was referred to the Committee for the District of Columbia.

Mr. Chapman, of Alabama, presented a petition of Charles Taylor, of Madison county, in the State of Alabama, praying a right of pre-emption to land in the territory lately acquired from the Cherokees, in lieu of that of which he was deprived under the act of 1829; which petition was referred to the Committee on Private Land Claims.

Mr. Chapman, of Alabama, presented a petition of inhabitants of Cherokee county, in the State of Alabama, praying an extension of the pre-emption law of June 22, 1838; so as to embrace citizens equitably entitled to the benefits of said law, but who, by the letter of the law, are excluded; which petition was referred to the Committee on Private Land Claims.

Mr. Chapman, of Alabama, presented a memorial of citizens of Marshall county, in the State of Alabama, entitled to pre-emptions on land proposed to be granted to the Selma and Tennessee Railroad Company, praying that such grant may be made, and that they be entitled to *floats* of 160 acres in the Cherokee territory; which memorial was ordered to lie on the table.

Mr. Chapman, of Alabama, presented a memorial of James Lamar and James Gant, of Alabama, who commanded companies and were mustered into service in Alabama in the year 1838, praying to be remunerated for expenses incurred by them for provisions for their companies, in the absence of their mustering officer; which memorial was referred to the Committee of Claims.

Mr. Chapman, of Alabama, presented a memorial of the General Assembly of the State of Alabama, praying an extension of the pre-emption laws, so as to embrace a certain class of citizens in said State equitably entitled to the benefits of pre-emption; which memorial was referred to the Committee on Private Land Claims.

Mr. Yell presented resolutions of the Legislature of the State of Arkansas instructing the Senators and requesting the Representative from said State in the Congress of the United States to urge the passage of a law to authorize the citizens of each township in which number sixteen is otherwise appropriated, to relinquish the same, and locate other lands in lieu thereof, on any unappropriated lands within their respective townships; which resolution was referred to the Committee on the Public Lands.

Mr. Yell presented a resolution of the Legislature of the State of Arkansas, instructing the Senators and requesting the Representative from said State in the Congress of the United States to urge the importance to the State of Arkansas, and to the United States, of making provisions, by purchase or otherwise, for a modification of the line between the United States and the republic of Texas, so as to include the county of Miller, on the south side of Red river, within the limits of said State; which resolution was laid on the table.

Mr. Yell presented a resolution of the Legislature of the State of Arkansas, instructing the Senators and requesting the Representative from said State in the Congress of the United States to use their exertions to procure a relinquishment by the said State to the United States of its title to section number sixteen, in township number eight north, of range thirty-two west, on condition that the State of Arkansas be authorized to select another section in lieu thereof, provided a majority of the taxable inhabitants of said township shall petition for such exchange.

Mr. Yell presented a resolution of the Legislature of the State of Arkansas, instructing the Senators and requesting the Representative from said State in the Congress of the United States to procure the passage of a law confirming the titles to all lands entered at the different land offices in the State of Arkansas by virtue of Spanish confirmations.

Ordered, That the said resolutions be referred to the Committee on the Public Lands.

Mr. Stone presented a petition of inhabitants of McMinn county, in the State of Tennessee, praying for a post route; which petition was referred to the Committee on the Post Office and Post Roads.

Mr. Sergeant presented two memorials of the Philadelphia Board of Trade, praying a further appropriation for the erection of the light-house on Brandywine shoals, in the Delaware bay; which memorials were referred to the Committee on Commerce.

Mr. Bronson presented petitions of citizens of Jefferson county, in the State of New York, praying an appropriation for a fortification at Bartlett point; which petitions were referred to the Committee on Military Affairs.

Mr. Taylor presented a petition of citizens of Oswego, in the State of New York, praying a repeal or modification of the law of the last session of Congress, commonly called the "neutrality law;" which petition was referred to the Committee on Foreign Affairs.

Mr. Reed presented a petition of citizens of Wareham, in the State of Massachusetts, praying that the collector of the district of New Bedford may be directed to pay to them the same fishing bounty they would have been entitled to receive had the proper account of a fishing voyage made by them been presented to the said collector on the 1st day of January, 1839; which petition was ordered to lie on the table.

Mr. Naylor presented three petitions of inhabitants of Bridesburg, in

the county of Philadelphia and State of Pennsylvania, praying for the establishment of a post office at that place; which petitions were referred to the Committee on the Post Office and Post Roads.

Mr. Isaac Fletcher presented a memorial of citizens of the State of Vermont, praying a modification of the "neutrality law," passed at the last session of Congress; and, also, for redress for the destruction, by authority of the British Government, of the steamboat *Caroline*, at Schlosser, in the Niagara river; which memorial was referred to the Committee on Foreign Affairs.

Mr. Hall presented a petition of Henry A. Rogers, of Dorset, in the county of Bennington and State of Vermont, and Willard Rogers, of Genesee county and State of New York, surviving children of Baptiste Rogers, who was a soldier in the army of the United States in the revolutionary war, praying that the pension to which their ancestor was entitled under the act of the 16th of April, 1816, may be paid to them; which petition was referred to the Committee on Military Affairs.

Mr. Toucey presented a petition of John Watson, of East Windsor, in the State of Connecticut, praying remuneration for labor performed, damages incurred, and money expended, in the building of a sloop of war for the United States during the war of 1812 with Great Britain; which petition was referred to the Committee on Naval Affairs.

Mr. Reed presented documents relating to the case of the owner of the schooner *Joseph*, of Wareham, for a fishing bounty; which documents were referred to the Committee on Commerce.

Mr. J. L. Williams presented a petition of John Prock, praying for an increase of compensation as a mail contractor.

Mr. Samson Mason presented a petition of citizens of Union county, in the State of Ohio, praying for a mail route from the town and county of Delaware to East Liberty, in the county of Logan, in said State.

Mr. Chapman, of Iowa, presented a petition of one hundred citizens of the Territory of Iowa, praying for the establishment of a mail route from Monticello, in the State of Missouri, to Burlington, the seat of Government of said Territory.

Mr. Chapman, of Iowa, presented a petition of citizens of the said Territory, praying for the establishment of a post route from Charleston to the falls of Maquocota river, in that Territory.

Mr. Chapman, of Iowa, presented a petition of citizens of the Territory of Iowa, praying for an increase of mail facilities.

Mr. Buchanan presented a petition of citizens of Pennsylvania and Virginia, praying for a mail route from Pittsburg, Pennsylvania, to Morgantown, Virginia.

Mr. Bicknell presented a petition of citizens of Madison county, State of New York, praying for the establishment of a mail route from Wampsville to Cawasselon creek, in said county.

Mr. Davee presented a petition of citizens of the county of Somerset, in the State of Maine, praying for the establishment of a mail route from Palmer's corners to the village of Anson, in said county.

Mr. J. Q. Adams presented a petition of citizens of the town of Windsor, in the county of Bertie, State of North Carolina, praying Congress to direct the Postmaster General "to send no more mails into said county of Bertie after the 1st day of March next, by which time they will have

made arrangements for supplying themselves without further expense to the Government."

Mr. Petrikin presented petitions of the inhabitants of the county of Luzerne, in the State of Pennsylvania, praying for a mail route from Columbus to Shickshinney, in said State.

Mr. Beatty presented a petition of citizens of Pennsylvania, praying for a mail route from Butler to Franklin, in said State.

Mr. Doty presented a petition of inhabitants of the counties of Racine and Walworth, in the Territory of Wisconsin, praying for a mail route from Southport to Foxville, and to establish a post office at Utica, in said Territory.

Mr. Borden presented a petition of citizens of the village of Westport Point, in the State of Massachusetts, praying for a mail route from Sandwich to said village of Westport Point.

Mr. Noyes presented a petition of inhabitants of Robbinston, in the county of Washington, State of Maine, praying for the establishment of a mail route from Dennysville to Robbinston, in said State.

Mr. Anderson presented a petition of inhabitants of Swan's island, in the county of Hancock, State of Maine, praying for a mail route from Sedgwick to Swan's island, in said State.

Mr. Alexander presented a petition of inhabitants of the county of Belmont, in the State of Ohio, praying for a mail route from St. Clairsville to New Athens, in said State.

Mr. Goode presented a petition of citizens of the counties of Lucas and Williams, in the State of Ohio, and of Steuben, in the State of Indiana, praying for a mail route from Maumee city, Ohio, to Angola, in the State of Indiana.

Mr. Harrison presented a petition of inhabitants of the counties of Marion, Lewis, and Clarke, in the State of Missouri, praying for a post route from Palmyra to St. Francisville, in said State.

Mr. Harrison also presented a remonstrance against the establishment of the said mail route.

Mr. Yell presented a petition of inhabitants of Clark county, in the State of Arkansas, praying for a post route from Greenville to Manchester, in said State.

Ordered, That the said petitions be referred to the Committee on the Post Office and Post Roads.

Mr. J. L. Williams presented a petition of William Baker, of Tennessee, a soldier of the late war with Great Britain, praying for a pension.

Mr. Sergeant S. Prentiss presented a petition of Lieutenant John A. Dahlgren, of the navy of the United States, praying for a pension for disabilities incurred in the public service.

Mr. Goode presented a petition of citizens of the county of Mercer, in the State of Ohio, praying for arrears of pension to James Schoonover, a soldier in the militia during the late war with Great Britain.

Mr. Fletcher, of Massachusetts, presented a petition of David P. Weeks, of Boston, in the county of Suffolk, State of Massachusetts, a soldier of the late war with Great Britain, praying for increase of pension.

Mr. Borden presented a petition of Benjamin Chandler, of Attleborough, in the county of Bristol and State of Massachusetts, a soldier of the late war with Great Britain, praying for a pension.

Mr. Worthington presented additional testimony in the case of David

R. Whitely, a soldier of the late war with Great Britain, heretofore presented.

Mr. Fletcher, of Vermont, presented a petition of Joseph Brown, of Washington, in the county of Orange, State of Vermont, an invalid pensioner, praying for arrears of pension.

Mr. Taylor presented a petition of John Carr, of Manlius, in the county of Onondaga, State of New York, an invalid soldier of the Revolution, praying an increase of pension.

Ordered, That the said petitions be referred to the Committee on Invalid Pensions.

Mr. Coles presented a petition of John Phillips, of the county of Halifax, in the State of Virginia, an invalid soldier of the Revolution, praying to be allowed to relinquish his present pension, in order to obtain the benefits of the act of 15th of May, 1828; which petition was referred to the Committee on Revolutionary Pensions.

Mr. S. W. Morris presented a memorial of citizens of the State of Pennsylvania, praying for the improvement of the Allegany river for steamboat navigation.

Mr. Jackson, of New York, presented a petition of inhabitants of Sag Harbor, praying for the erection of a light-house on Gardiner's island, in the State of New York.

Mr. Noble presented a petition of inhabitants of the county of Oswego, in the State of New York, praying for the improvement of the harbor of Little Sodus Bay.

Mr. Noyes presented a petition of Israel Clark and others, owners of the schooner Cod-hook, of Blue Hill, State of Maine, praying that the bounty to which said vessel would have been entitled as a vessel engaged in the cod fishery, may be paid to them—said bounty being forfeited by informality in the papers.

Mr. Darlington presented a memorial of pilots of the Delaware bay, and shipmasters of the port of Philadelphia, praying for the erection of new piers at, and the improvement of, the harbor of Chester, on the river Delaware.

Mr. Yorke presented a petition of 187 citizens of the State of New Jersey, praying for an appropriation for the erection of a breakwater on Crow shoals, in the Delaware bay.

Mr. Randolph presented a petition of citizens of the county of Richmond, State of New York, on the subject of pilotage.

Mr. Cushman presented a petition of Matthew R. Hill and others, of the State of Maine, praying for a light-house on Stage neck, in York harbor, in said State.

Ordered, That said petitions be referred to the Committee on Commerce.

Mr. Randolph presented the following resolutions of the General Assembly of the State of New Jersey, viz :

NEW JERSEY.

Resolved by the Council and General Assembly of this State, That the public lands having been acquired by the common exertions and treasures of the United States, are, and of right ought to be, the common property of the whole Union.

Resolved, That the proceeds arising from the sale of those lands, if not required for the purposes of the General Government, ought to be proportionably distributed among the several States.

Resolved, That we regard the reduction of the prices of those lands, and the granting of pre-emption rights, as measures partial and unjust in their operation, and calculated to squander and waste the common property of the people of the United States for the benefit of a few.

Resolved, That, in the name and behalf of the people of the State of New Jersey, we do most solemnly and earnestly protest against the cession of those lands, or of any part thereof, to the States in which they lie, as an act of palpable injustice and wrong, neither required nor sanctioned by any public necessity or policy, and opposed to every principle of justice and equity.

Resolved, That the Senators and Representatives of New Jersey in the Congress of the United States will best conform to the wishes and promote the interests of the people of this State by acting in accordance with the foregoing resolutions.

Resolved, That the Governor be requested to forward copies of the foregoing resolutions and of the accompanying report to the Senators and Representatives in Congress from this State, with a request that the same be laid before their respective Houses; and also to the Governors of the several States of the Union, with a request to lay them before their respective Legislatures.

IN COUNCIL, January 31, 1833.

These joint resolutions having been three times read and compared in Council,

Resolved, That the same do pass.

By order of Council:

A. PARSONS, *Vice President of Council*

HOUSE OF ASSEMBLY, February 7, 1833.

These joint resolutions having been three times read and compared in the Assembly,

Resolved, That the same do pass.

By order of the Assembly:

LEWIS CONDUCT, *Speaker*

Ordered, That said resolutions do lie on the table.

Mr. Casey presented a joint resolution of the Legislature of Illinois, instructing the Senators and requesting the Representatives of that State in Congress, to use their best exertions to procure an appropriation sufficient to put all the unsurveyed lands in the State of Illinois under immediate contract for surveying; and that they urge on the Commissioner of the General Land Office the necessity of prompt attention to this subject, in order that the numerous settlers thereon may be enabled to purchase the land on which they reside.

Mr. Casey presented a joint resolution of the Legislature of the State of Illinois, instructing the Senators and requesting the Representatives of that State in Congress, to use their best exertions to procure (at the present session of Congress) the passage of a law by that body establishing a permanent system of pre-emption rights, by which the actual settler upon the lands of the Government of the United States shall have the exclusive privilege of purchasing, at Congress price, any quarter section of land upon which he may have made an improvement; also, to use their exertions to procure the passage of a law providing that the public lands hereafter be sold, in limited quantity, to actual settlers only; and that a reasonable time be allowed such settlers to pay for the land.

Ordered, That the said joint resolutions be referred to the Committee on the Public Lands.

Mr. John Quincy Adams presented eight memorials from Sherlock S. Gregory, of Sand lake, in the county of Rensselaer, in the State of New York, viz:

First. Praying Congress to assist him in publishing and distributing

one million of copies of a circular, intended to show that it is contrary to the commands of God, as set forth in the Scriptures, for women to bear rule over men ;

Second. Praying Congress to inquire whether the comfort of the Cherokee nation, when on their journey westward, was properly provided for ;

Third. Praying Congress to inquire whether the Cherokees "emigrated without any apparent reluctance," as stated in the President's annual message.

Fourth. Praying Congress to ascertain whether the dangers attending an invasion of the territory of the United States by a foreign foe cannot be prevented, by rendering justice, in time of peace, to certain inhabitants of the United States ;

Fifth. Praying Congress to inquire whether there is not more consistent liberty in the provinces of Canada, in Russia, and in England, than in the United States.

Sixth. Praying Congress to take into consideration the impropriety of determining to purchase Indian lands without previously consulting the Indians ;

Seventh. Representing that what is usually termed high living is calculated to blind the eyes of the mind, and praying Congress to inquire whether, in consequence thereof, they have not lost sight of consistent freedom ;

Eighth. Praying Congress to consider whether the only means of averting the calamities of a civil war be not the faithful following out of the precepts of Christianity, with respect to the inhabitants of the United States said to be laboring under grievances.

These several memorials of Sherlock S. Gregory were laid on the table.

Petitions praying Congress to recognise, in the usual form and manner, and enter into the customary international relations with, the republic of Hayti, were presented as follows, to wit :

By Mr. J. Q. Adams : Of John Pitts and Susan D. Hurlbut and others, of the county of Steuben, in the State of New York ;

Of Edward Wilbur and Abigail Camp and others, men and women, of Pittsford, in the county of Monroe and State of New York ;

Of Joseph Clarke and 112 others, of Lancaster, in the county of Erie, State of New York.

By Mr. Russell : Of Andrew Martin and others, of Salem, in the county of Washington, State of New York.

By Mr. Naylor : Of citizens of Bradford county, in the State of Pennsylvania.

By Mr. Hall : Of inhabitants of Andover, in the county of Windsor, in the State of Vermont.

By Mr. Grennell : Of inhabitants of Worcester, in the State of Massachusetts.

By Mr. Smith, of Maine : Of inhabitants of Freeport, in the county of Cumberland and State of Maine.

By Mr. J. Q. Adams : Of George Millard and others, citizens of Wash-tenaw, in the State of Michigan.

By Mr. Peck : Of inhabitants of the towns of Morris and Sparta, in the county of Livingston, State of New York ;

Of inhabitants of the town of Mount Morris, in the State of New York.
Ordered, That the said petitions be referred to the Committee on Foreign Affairs.

Petitions praying for the abolition of slavery and the slave trade in the District of Columbia, were presented by Mr. John Quincy Adams, as follows, viz:

Of Abner Belcher and 238 others, of Wrentham, in Bristol county, in the State of Massachusetts;

Of Stephen Payne and 261 others, of Abington, in Plymouth county, in the State of Massachusetts;

Of Hiram Belcher and 39 others, of Farmington, in the State of Maine;

Of J. Blanchard and 194 others, of Cincinnati, in the State of Ohio;

Of Henry E. Morrell and 88 others, of Cincinnati, in the State of Ohio;

Of Richard Sanborn and Phœbe Sanborn and 83 others, males and females, of Monroe county in the State of New York;

Of Hamilton Littlefield and 28 others, of Oswego, in the State of New York;

Of Samuel Hitchcock and Mary Hitchcock and 42 others, males and females, of Perry, in the county of Genesee, in the State of New York;

Of Nelson Simons and 10 others, of Castile, in Genesee county, State of New York;

Of Eli H. Higgins and 72 others, of Jefferson county, in the State of Indiana;

Of David Green and 71 others, of Clinton county, State of Ohio;

Of Abraham Allen and 19 others, of Clinton county, Ohio;

Of Ruth Hibborn and 34 others, of Clinton county, Ohio;

Of Thomas Hibborn and 28 others, of Clinton county, Ohio;

Of Eleanor Seaward and 32 others, of Coshocton county, Ohio;

Of Isaac Whitehead and 28 males, and Elizabeth Whitehead and 23 females, of Jersey, in Licking county, Ohio;

Of Jonas M. Miles and 121 others, of Shrewsbury, in the State of Massachusetts;

Of Henry F. Brayton and 63 others, of Cleveland, in the State of Ohio;

Of Melzar Sprague and 35 others, of Hanson, Plymouth county, in the State of Massachusetts;

Of Elizabeth Watson and 1,847 others, of Boston, in the State of Massachusetts;

Of Ephraim Willey and 33 others, of Stoneham, Middlesex county, Massachusetts;

Of David Bixley and 45 men, and Desire Hatch and 44 women, of Knox county, Ohio;

Of Charles A. Bisbee and 86 others, of the State of Ohio;

Of B. Hogeboom and 29 males, and Jerusha Button and 19 women, of Machias, in Cattaraugus county, State of New York;

Of Aral Joy and 81 others, of Ovid, in Seneca county, State of New York;

Of William Hanford and 36 men, and Armelia Hanford and 16 women, of Portage county, Ohio;

Of Zephaniah Willis and 76 others, of Kingston, Plymouth county, Massachusetts;

Of Luther French and 28 others, of Bradford, Merrimac county, New Hampshire;

Of Seth Sprague and 93 others, citizens of Duxbury, Plymouth county, Massachusetts;

Of Moses Scott and others, of Knox and Licking counties, Ohio;

Of Julia Thurston and others, women of Ohio.

By Mr. E. Davies: Of citizens of Chester and Lancaster counties, in the State of Pennsylvania;

By Mr. Slade: Of legal voters of Weathersfield, in the State of Vermont;

Of Phœbe Y. Carpenter and 273 others, women of the county of New York;

Of T. M. Young and 52 men and 59 women, of Fishkill, Dutchess county, in the State of New York;

Of George W. Gale and 71 men and 65 women, of Galesburg, Knox county, in the State of Illinois;

Of Mary H. Branch and others, of Brooklyn, in the State of Ohio;

Of Benjamin F. Garfield and others of Weathersfield, in the State of Vermont.

By Mr. Slade: Of John B. Thomas and others, of Plymouth, in the State of Massachusetts;

Of John Sabin and others of Fitzwilliam, in the State of New Hampshire.

By Mr. Adams: Of John Amen and others, of Highland county, in the State of Ohio;

Of Sarah Ann Rogers and others of Claremont county, in the State of Ohio;

Of Napoleon B. Buell and others of Batavia, in the State of New York;

Of Mary Maynard and others, of Seneca county, in the State of Ohio;

Of Joshua Maynard and others, of Seneca county, in the State of Ohio.

By Mr. Reed: Of Stillman Pratt, and others of Orleans, in the State of Massachusetts.

By Mr. Russell: Of Harriet Rogers and others, of Greenwich, Washington county, New York.

By Mr. Peck: Of citizens of Rushford, in the county of Allegany and State of New York.

By Mr. Adams: Of Jonathan Peck, of Hartford, Licking county, Ohio.

These several petitions, as presented, were laid on the table, under the order of the House of the 12th December last.

Petitions praying for the abolition of slavery and the slave trade in the District of Columbia, for the abolition of slavery in the Territories, and for the prohibition of the internal slave trade, were presented by Mr. John Quincy Adams, as follows:

Of Mary R. Gildersleeve and 54 others, of Wilkesbarre, in Luzerne county, in the State of Pennsylvania;

Of John and Maria Van Horne and 32 others, males and females, of New Fane, Niagara county, in the State of New York;

Of Aaron and Rebecca Sewell and 16 others, of Clarksville, Clinton county, in the State of New York;

Of R. E. W. Adams and 22 others, of the county of Wills, in the State of Illinois;

Of Lucy W. Eustis and 104 others, of Calais, Washington county, in the State of Maine;

Of Melavia A. Parker and 141 others, of Cambridge, Middlesex county, in the State of Massachusetts;

Of S. P. Sanford and 209 others, of Dorchester, Norfolk county, in the State of Massachusetts;

Of Harriet Folsom and 288 others, of Boston, in the State of Massachusetts;

Of Abigail B. Judson and 154 others, of Plymouth, in the State of Massachusetts;

Of William A. Harlan and 16 others, of Harford county, in the State Maryland;

Of Rachel Beans and 27 others, of Buckingham, in Bucks county, in the State of Pennsylvania;

Of Esther W. Benham and 10 others, of Buckingham, in Bucks county, in the State of Pennsylvania;

Of W. S. Fuller and 33 men, and Huldah Parker and 20 women, of Pennfield, county of Monroe, in the State of New York;

Of Myron Holley and 33 others, of Brighton and Carthage, in the State of New York;

Of Mrs. Myron Holley and 21 others, of Brighton and Carthage, in the State of New York;

Of Mrs. Andrew L. Haskell and 24 others, of Winnipixit village, in the State of Massachusetts;

Of Ann Hall and 50 others, of Salem, in the State of New York;

Of Thomas Woodson and 19 others, of Milton and Lick, in the county of Jackson and State of Ohio.

By Mr. Lincoln: Of Lucretia Denny and 224 others, of Lancaster, Massachusetts;

Of Mary Lawson and 45 others, women of Berlin, in the State of Massachusetts;

Of David Lawson and others, men of Berlin, in the State of Massachusetts.

By Mr. Hastings: Of Louisa Clarke and 103 others, women of Roxbury, in the State of Massachusetts.

These several petitions, as presented, were laid on the table, under the order of the House of the 12th of December last.

Petitions praying the abolition of slavery in the Territories were presented by Mr. John Quincy Adams as follows, viz:

Of Hiram Belcher and 43 others, of Farmington, in the State of Maine;

Of Peter Ellis and Caroline S. Ellis and 35 others, men and women, of Crosswicks, New Jersey;

Of U. G. Ladd and Abigail Ladd and 25 others, men and women, of Sanbornton, New Hampshire;

Of D. C. Blood and 52 others, of Lenawee, Michigan.

By Mr. E. Davies: Of citizens of Chester and Lancaster counties, in the State of Pennsylvania.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December last.

Petitions for the prohibition of the internal slave trade were presented by Mr. John Quincy Adams as follows, viz:

Of John Titcomb and 42 others, of Farmington, in the State of Maine;

Of Richard Lambourne and 46 males, and Phœbe Lambourne and 37 women, of Monroe county, in the State of New York ;

Of Nelson Simons and 11 others, of Castile, Genesee county, New York ;

Of Margaret S. Worthington and 20 others, of Warwick, Bucks county, Pennsylvania ;

Of Mary W. Magill and 66 others, of Solebury, Bucks county, Pennsylvania ;

Of W. H. Ellis and 19 men, and Abigail S. Ellis and 13 women, of Crosswicks, New Jersey ;

Of Peter Ellis and 19 males, and Caroline S. Ellis and 13 females, of Crosswicks, New Jersey ;

Of Harriet Folsom and 230 others, of Boston, Massachusetts ;

Of Nancy Ripley and 151 others, of Plymouth, Massachusetts ;

Of B. Hogeboom and 33 men, and Jerusha Button and 20 women, of Machias, Cattaraugus county, New York ;

Of N. G. and Abigail Ladd and 25 others, men and women, of Sanbornton, in the State of New Hampshire ;

Of Rachael Beans and 26 others, of Buckingham, Bucks county, Pennsylvania ;

Of Esther W. Benham and 10 others, citizens of Buckingham, Bucks county, Pennsylvania ;

Of Melaria A. Parker and 141 others, of Cambridge, Massachusetts ;

Of S. P. Sanford and 212 others, of Dorchester, Norfolk county, Massachusetts ;

Of Joseph Douglass and 41 others, of the State of Ohio ;

Of D. C. Blood and 48 others, of Lenawee, in the State of Michigan ;

Of Esther McElwain and 45 others, of Lycoming, in the State of Pennsylvania.

By Mr. E. Davies : Of citizens of Chester and Lancaster counties, in the State of Pennsylvania.

By Mr. Potts : Six memorials of inhabitants of Chester county, in the State of Pennsylvania ;

Two memorials of inhabitants of Montgomery county, in the State of Pennsylvania.

By Mr. E. Davies : Four memorials of inhabitants of Lancaster county, in the State of Pennsylvania.

By Mr. McKennan : Two memorials of inhabitants of Washington county, in the State of Pennsylvania.

By Mr. Giddings : Of inhabitants of Licking county, in the State of Ohio.

By Mr. Naylor : Of inhabitants of Delaware county, in the State of Pennsylvania.

These petitions, as presented, were laid on the table, under the order of the House of the 12th December last.

Mr. John Quincy Adams presented a petition from Joseph L. Garretson, and 36 men, and Sarah C. Garretson, and 38 women, of Monroe county, in the State of New York, praying for the abolition of slavery and the slave trade in the District of Columbia ; the prohibition of the internal slave trade ; that no new State, whose constitution tolerates domestic slavery, be admitted into the Union ; and that all applications for

the annexation of Texas to the United States be rejected; which petition was laid on the table, under the order of the 12th of December last.

Petitions praying the abolition of slavery and the slave trade in the District of Columbia; the abolition of slavery in the Territories; the prohibition of the internal slave trade; that no new State, whose constitution tolerates slavery, be admitted into the Union; and that they be heard by themselves, or counsel, in support of their petitions, were presented by Mr. John Quincy Adams, as follows, to wit:

Of George H. Adams and 70 others, of Saco, York county, State of Maine;

Of Alexander Wilson and 47 others, of Francistown, Hillsborough county, in the State of New Hampshire;

Of Hannah Stevens and 66 others, of Antrim, Hillsborough county, New Hampshire;

Of Leonard W. Farley and 57 others, of Hollis, Hillsborough county, New Hampshire;

Of Clarissa B. Farley and 74 others, of Hollis, Hillsborough county, New Hampshire;

Of John Field and 52 men, and Tabitha Field, and 62 women, of Peterborough, Hillsborough county, New Hampshire.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Memorials praying the House of Representatives to rescind the resolutions of the 12th of December, 1838, in respect to the disposition of petitions and papers touching the subject of slavery, were presented as follows, to wit:

By Mr. Slade: Of Elisha Bascom and others, of Shoreham, in the State of Vermont;

Of Amos P. St. John and 20 others, of Walton, in the State of New York;

Of T. M. Young and others, of Fishkill, Dutchess county, New York;

Of William M. Gregory and 52 others, of Washtenaw county, in the State of Michigan;

Of Abram Orris and others, of Addison county, in the State of Vermont;

Of Thomas G. Gilbert and others, of Shetford, in the State of Vermont;

Of Robert Stuart and 123 others, of Wayne county, Michigan;

Of N. H. Losey and others, of Knox county, in the State of Illinois;

Of Asa Freeman and others, citizens of Dover, in the State of New Hampshire.

By Mr. Lincoln: Of Leander Fales and others, of Shrewsbury, in the State of Massachusetts;

Of Eliza Allen and 177 others, of Shrewsbury, in the State of Massachusetts;

Of citizens of Berlin, in the State of Massachusetts.

By Mr. Grennell: Of Thomas Meekins, and other inhabitants of Wiliamsburg, in the Commonwealth of Massachusetts;

Of inhabitants of Sunderland, in the State of Massachusetts.

By Mr. Reily: Of inhabitants of Dauphin county, Pennsylvania.

By Mr. John Quincy Adams: Of Mary Lathrop and others, of East Bridgewater, Massachusetts;

Of Thomas Austin and others, inhabitants of the village of Poughkeepsie, in the State of New York;

Of John Amen and others, of the State of Ohio:

Of James Hathaway and others, legal voters of the town of Berkeley, in the State of Massachusetts.

By Mr. Grennell: Of Gideon Dana and 73 others, males, and Sally Read and 75 females, of Amherst, Massachusetts;

Of inhabitants of Chesterfield, in the State of Massachusetts.

By Mr. Curtis: Of Leroy Sunderland and others, of the city of New York;

Of J. W. Brown and others, of the city of New York;

Of D. Fanshaw and others, of the county of New York.

By Mr. E. Davies: Two memorials of citizens of Lancaster county, Pennsylvania.

By Mr. Reed: Of legal voters of Truro, in the State of Massachusetts;

Of inhabitants of Barnstable, in the State of Massachusetts.

By Mr. Cushing: Of Warren Ladd and 79 others, of Bradford, in the State of Massachusetts;

Of John Wadleigh and 99 others, of Amesbury and Salisbury, Massachusetts;

Of Tobias Pinkham and 21 others, of Dracut, Massachusetts;

Of H. C. McEwen and 125 others, ladies of Topsfield, Massachusetts;

Of James F. McEwen and 138 others, of Topsfield, Massachusetts;

Of Albert Gale and two others, of Amesbury, Massachusetts;

Of Jerusha Hood and three others, of Amesbury, Massachusetts;

Of John Burden and 87 others, of Georgetown, Massachusetts;

Of Solomon H. Curvier and others, of Newburyport, Massachusetts;

Of Joseph N. Jackson and 56 others, of Newbury, Massachusetts;

Of Philo C. Pettibone and 199 others, of Haverhill, Massachusetts;

Of Francis H. Cowing and others, of Weymouth, Massachusetts;

Of John E. Bartlett and 189 others, of West Newbury, Massachusetts;

Of William Ela and others, of Denny, New Hampshire;

Of George Kent and 97 others, of Concord, in the State of New Hampshire;

Of Life Hamblett and others, of Dracut, Massachusetts.

These several memorials were ordered to lie on the table.

Memorials praying the abolition of the internal slave trade were presented by Mr. Slade, as follows, to wit:

Of Mary Murray and 256 other women, of the city of New York;

Of J. M. Young and 114 others, of Fishkill, Dutchess county, in the State of New York;

Of George W. Gale and 70 men and 55 women, of Galesburg, Illinois.

By Mr. John Quincy Adams: Of John Amen and others, of Highland county, in the State of Ohio;

Of Rachel C. Bliss and others, women, of Rehoboth, Bristol county, in the State of Massachusetts;

Of Mary Maynard and others, of Seneca county, in the State of Ohio;

Of R. G. Perry and others, of Seneca county, in the State of New York;

Of Napoleon B. Buell, of the town of Batavia, county of Genesee, in the State of New York.

By Mr. Grennell: Of Percy B. Rose and others, of the town of Chesterfield, in the State of Massachusetts.

By Mr. Peck: Of inhabitants of Rushford, county of Allegany, in the State of New York.

Petitions praying for the abolition of slavery and the slave trade in the District of Columbia, or in the District of Columbia and the Territories of the United States, and the prohibition of the internal slave trade, were presented by Mr. John Quincy Adams, as follows, to wit:

Of Mary W. Magill and 64 others, of Salisbury, in the State of Pennsylvania;

Of Joseph Burrows and 21 others, of Hebron, Oxford county, State of Maine;

Of Peter Butler and 25 others, of Oxford, Norfolk county, Massachusetts;

Of E. M. Burleigh and 25 others, of Oxford, Norfolk county, State of Massachusetts;

Of Joseph Douglass and 38 others, of the State of Ohio;

Of Esther McElwain and 45 others, of Lycoming county, in the State of Pennsylvania;

Of John McKinney and 19 others, of Susquehanna county, Pennsylvania;

Of Hervey Bliss and 12 men, and Nancy Bliss and 7 women, of Blissfield, Lenawee county, Michigan;

Of D. B. Waterman and 26 men, and Lydia M. Hopkins and 18 women, of the town of Amesville, in the State of New York;

Of J. Cross, jun. and others, of the town of Cherry Valley, New York;

Of William Voorhies, jun. and others, of Sharon, New York;

Of Samuel Thompson and others, of the State of New York;

Of L. W. Le Roy and others, of Canajoharie, New York.

By Mr. Russell: Of inhabitants of the county of Suffolk, in the State of New York.

By Mr. Childs: The memorial of James Sperry and 31 others, of Henrietta, in the State of New York.

By Mr. Cushing: Of Mary C. Brown and others, females, of West Newbury, in the State of Massachusetts.

By Mr. R. Fletcher: Of Edmund Quincy and 36 others, citizens of Boston.

By Mr. Slade: Of Thomas L. Gilbert, jun. and others, of Thetford, in the State of Vermont.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

A petition praying for the abolition of slavery and the slave trade in the District of Columbia; for the abolition of slavery in the Territories; and praying to be heard by themselves or counsel in support of their petition, was presented by Mr. John Quincy Adams, from Moses Wood and 83 males, and Arvilla W. Wood and 88 females, of Hancock, in Hillsborough county, New Hampshire; which petition was laid on the table, under the order of the 12th of December, 1838.

A petition against the admission into the Union of any new slaveholding State, and praying to be heard in person or by counsel in support of their petition, was presented by Mr. John Quincy Adams, from Moses Wood and 94 other males, and Arvilla W. Wood and 95 other females, of Hancock, in the county of Hillsborough, in the State of New Hampshire; which petition was laid on the table, under the order of the 12th of December last.

Petitions praying that no new State whose constitution tolerates slavery be admitted into the Union, and that all proposals for the annexation of Texas to the Union be rejected, and that the memorialists be heard by themselves or counsel in support of their memorial, were presented, as follows, to wit:

By Mr. John Quincy Adams: Of George Miller and others, citizens of Washtenaw, in the State of Michigan.

By Mr. Peck: Of citizens of Livingston county, in the State of New York;

Of citizens of Mount Morris, in the county of Livingston, in the State of New York.

By Mr. F. O. J. Smith: Of citizens of Freeport, in the State of Maine.

By Mr. Lincoln: Of citizens of Princeton, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December last.

Petitions against the admission into the Union of any new slaveholding State, were presented, as follows:

By Mr. John Quincy Adams: Of Zeba Torrey and 292 others, of Abington, Plymouth county, Massachusetts;

Of Nelson Simons and 11 others, of Castile, Genesee county, State of New York;

Of Jonas M. Miles and 123 others, of Shrewsbury, Worcester county, Massachusetts;

Of W. H. Ellis and 20 men, and Abigail S. Ellis and 13 females, of Crosswicks, in New Jersey;

Of Judson S. Ellis and 18 males, and Caroline S. Ellis and 12 females, of Crosswicks, in New Jersey;

Of Melzar Sprague and 35 others, of Hanson, Plymouth county, Massachusetts;

Of Melaria A. Parker and 141 others, of Cambridge, Middlesex county, Massachusetts;

Of Ephraim Willey and 33 others, of Stoneham, Middlesex county, Massachusetts;

Of J. E. Straws and 58 others, of Lenawee county, Michigan;

Of John B. Thomas and 84 others, citizens of Plymouth, Massachusetts;

Of B. Hogeboom and 29 men, and Jerusha Button and 19 women, of Machias, Cattaugus county, New York;

Of Joshua Maynard and others, of Seneca county, in the State of Ohio;

Of N. G. Ladd and 13 men, and Abigail Ladd and 13 women, of Sanbornton, Merrimac county, New Hampshire;

Of Zephaniah Willis and 76 others, of Kingston, Plymouth county, Massachusetts;

Of Seth Sprague and 93 others, of Duxbury, Plymouth county, Massachusetts.

By Mr. E. Davies: Of citizens of the county of Lancaster, in the State of Pennsylvania.

By Mr. Slade: Of John Sabin and others, of Fitzwilliam, in the State of New Hampshire;

Of J. M. Young and 111 others, of Fishkill, Dutchess county, New York.

By Mr. Reed : Of citizens of Orleans, in the State of Massachusetts.

By Mr. Hall : Of inhabitants of Andover, Vermont ;

Of Virgil Noble and 19 others, of Otter Creek, Green county, Illinois.

By Mr. Peck : Of inhabitants of Rushford, in the State of New York.

By Mr. E. Davies : Of inhabitants of Lancaster county, in the State of Pennsylvania.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December last.

Petitions praying for the abolition of slavery and the slave trade in the District of Columbia ; for the abolition of slavery in the Territories ; for the prohibition of the internal slave trade ; and against the admission of any new slave State, were presented as follows, viz :

By Mr. John Quincy Adams : Of James Rea and 49 others of Armstrong county, in the State of Pennsylvania ;

Of Anne Everson and 800 others of Allegany county, in the State of New York ;

Of Daniel Srader and 30 others of Westmoreland county, in the State of Pennsylvania ;

Of Alexander Wilson and 30 others, inhabitants of Allegany county, in the State of Pennsylvania ;

Of Solomon E. Moore and others of Alton, in the State of Illinois.

By Mr. Slade : Of Nathaniel Jones and 43 others of Northfield, in the State of Vermont ;

Of W. M. Gregory and others of Washtenaw, Michigan ;

Of Cornelius A. Haight and others of the county of Des Moines, Territory of Iowa.

By Mr. Everett : Of Milton Brown and others of Windsor, in the State of Vermont.

By Mr. Isaac Fletcher : Of inhabitants of Barnet, in the State of Vermont.

These petitions, as presented, were laid on the table, under the order of the House of the 12th December last.

Petitions praying that no new State whose constitution shall tolerate slavery may be admitted into this Union, and that all proposals for the annexation of Texas to the United States be rejected, were presented as follows, to wit :

By Mr. John Quincy Adams : Of John and Maria Vanhorne and 32 others, men and women, of Monroe county, in the State of Ohio ;

Of Richard Lambourne and 47 others, and Phoebe Lambourne and 37 others of Monroe county, in the State of New York ;

Of Lucy W. Eustis and 100 others of Calais, Washington county, in the State of Maine ;

Of Joseph Douglass and 43 others of the State of Ohio ;

Of Joseph Bannerman and 24 others of Lancaster county, in the State of Pennsylvania ;

Of John R. Bolles and 203 others, citizens of New York, in the State of New York ;

Of Real Griswold and 32 men, and Sarah P. Plumb and 21 women, of Penfield, Monroe county, New York ;

Of Esther McElwain and 45 others, inhabitants of Lycoming county, Pennsylvania ;

Of Elisha Fish and 38 men, and Polly Fish and 36 women, of Rensselaerville, Albany county, New York ;

Of Myron Holley and 37 others of Brighton and Carthage, in the State of New York ;

Of Mrs. Myron Holley and 21 others of Brighton and Carthage, in the State of New York ;

Of Thomas Woodson and 19 others of Milton and Lick, in the county of Jackson and State of Ohio.

By Mr. Slade : Of Phebe J. Carpenter and 235 other women of the city of New York ;

Of James McFarland and others of Eaton, in the State of New York ;

Of George W. Gale and 66 men and 55 women of Galesburg, in the State of Illinois ;

Of Nathaniel Jones and others, of Northfield, in the State of Vermont.

By Mr. Andrews : Of inhabitants of Steuben county, New York.

By Mr. Clark : Two memorials of inhabitants of Chenango county, New York.

By Mr. Grennell : Of legal voters of Sunderland, in the State of Massachusetts.

By Mr. Reily : Of inhabitants of Dauphin county, in the State of Pennsylvania.

By Mr. Cushing : Of Amos Chase and others of Chester, New Hampshire ;

Of Mary D. C. Brown and others of West Newbury, Massachusetts.

By Mr. Edwards : Of citizens of Montgomery county, New York ;

Of inhabitants of Florida, Montgomery county, New York.

By Mr. Clark : Of inhabitants of Guilford, Chenango county, New York.

By Mr. Filmore : Of Daniel Babcock and others of Allegany, New York ;

Of Joseph Clarke and others of the county of Erie, in the State of New York.

By Mr. Grennell : Of Simeon Brewer and others, of Petersham, in the county of Worcester, Massachusetts.

By Mr. Henry : Of inhabitants of Beaver county, in the State of Pennsylvania.

By Mr. Russell : Two memorials of inhabitants of the county of Washington, in the State of New York ;

Of inhabitants of the town of Salem, in the county of Washington, New York.

By Mr. John Quincy Adams : Of inhabitants of the town of Macedon, in the State of New York ;

Of D. W. Le Roy and others, inhabitants of Canajoharie, in the State of New York ;

Of inhabitants of the town of Sharon, New York ;

Of inhabitants of the town of Cherry Valley, New York ;

Of Joseph Woodward and Diantha Woodward and 52 others, inhabitants of Denmark, Des Moines county, in the Territory of Iowa ;

Of Isaac Requa and 166 others of Poughkeepsie, New York ;

Of Edward Wilbur and others of Monroe county, in the State of New York ;

Of Mary Maynard and others of Seneca county, in the State of Ohio ;

Of H. M. Thorne and Lydia M. Hopkins of the town of Omilla, in the State of New York ;

Of Ezra Carter and 40 males, and Hannah Kimball and 27 females, of Leyden, Lewis county, New York ;

Of John Pitts and others of the county of Steuben, in the State of New York ;

Of Sarah Ann Rogers and others of the county of Clermont, in the State of Ohio ;

Of Elias Babcock and 42 others of the town of Adams, in Jefferson county, New York ;

Of 31 inhabitants of Cazenovia, in the State of New York ;

Of John Elmore and others of Madison county, in the State of New York ;

Of John Amen and others of Highland county, New York.

By Mr. Childs : Of James Sperry and 38 others of Henrietta, in the State of New York.

By Mr. Slade : Of Samuel Eastman and others of Landaff, in the State of New Hampshire ;

Of William Rockwood and others of Bridport, in Vermont ;

Of Seth Washburn and 350 others, men, and 350 women, of Randolph, in the State of Vermont.

By Mr. Peck : Of inhabitants of the town of Rushford, in the State of New York.

By Mr. John Quincy Adams : Of Jesse Phillips and 137 others, of the State of Indiana ;

Of Ellis Davis and others of the State of Indiana.

By Mr. Potts : Three memorials of inhabitants of Chester county, in the State of Pennsylvania ;

Two memorials of inhabitants of the county of Montgomery, in the State of Pennsylvania.

By Mr. E. Davies : Two memorials of inhabitants of the State of Pennsylvania ;

Three memorials of inhabitants of the county of Chester, in the State of Pennsylvania.

By Mr. Tillinghast : Memorials of inhabitants of South Kingston, of Olneyville and Johnston, of Coventry, and of Providence, in the State of Rhode Island.

By Mr. Evans : Of inhabitants of Leeds, in the State of Maine.

By Mr. Henry : Of inhabitants of Beaver county, in the State of Pennsylvania.

By Mr. S. Mason : Of inhabitants of Green and Clark counties, in the State of Ohio.

By Mr. Giddings : Of inhabitants of Ashtabula county, in the State of Ohio.

By Mr. Harper : Of inhabitants of Muskingum county, in the State of Ohio.

By Mr. E. Davies : Of inhabitants of Lancaster county, in the State of Pennsylvania.

These petitions, as presented, were laid on the table, under the order of the House of the 12th December last.

Petitions against the admission into the Union of any new slaveholding State, against the annexation of Texas to the United States, and praying to be heard by themselves or counsel in support of their petitions, were presented as follows, viz :

By Mr. John Quincy Adams : Of Harmon Pinney and 88 others, of Tioga county, in the State of New York ;

Of Maria Parmenter and 41 others, of Tioga county, in the State of New York ;

Of W. C. Gildersleeve and 34 others, of Luzerne county, in the State of Pennsylvania ;

Of Jacob Hagaman and 31 others, and M. Cogswell and 40 others, of Macedon, in the State of New York ;

Of S. V. R. Mallory and Lydia Van Duzer and 90 others, of Macedon, in the State of New York ;

Of Clarissa Spear and 37 others, of Macedon, in the State of New York ;

Of Rachel Figh and 42 others, of Macedon, in the State of New York ;

Of Harvey and Elmira Leet and 92 others, of Green county, in the State of New York ;

Of Abraham and Martha Smith and 144 others, of Niagara county, in the State of New York ;

Of George B. Gaskill and Mary Poulton and 44 others, of Niagara county, in the State of New York ;

Of John G. McCullough and 96 others, of New Athens, in the State of Ohio ;

Of William R. Smith and 97 others, of Macedon, in the State of New York ;

Of Esther A. Purdy and 87 others, of Macedon, in the State of New York ;

Of Maria Wilbur and 41 others, of Macedon, in the State of New York ;

Of Samuel and Polly Hall and 32 others, of West Hawley, in the State of Massachusetts ;

Of A. S. and Mary E. Barber and 47 others, of Fulton, in the State of Illinois ;

Of Lucius Conkey and 251 others, of Massena, in the State of New York ;

Of Elihu McCall and 110 others, of Franklin, in the State of New York ;

Of Philo Hall and 46 others, of Norfolk, in the State of New York ;

Of Alexander Gregg and 53 others, of Watertown, in the State of New York ;

Of Andrew Woodbury and 26 others, of Sweden, in the State of Maine ;

Of Darwin Canfield and 41 others, of Pleasant Valley, in the State of New York ;

Of Lucy Canfield and 42 others, of Pleasant Valley, in the State of New York ;

Of Charles Roberts and 126 others, of Brooks, in the State of Maine ;

Of Reuben Lefever and 187 others, of Reading, in the State of New York ;

Of J. M. Benham and 151 others, of Auburn, in the State of New York ;

Of Henry Shadd and 143 others, of Morven, in the State of Ohio ;

Of Webster Laing and 24 others, of Seneca, New York ;

Of Lucinda Dell and 30 others, of Seneca, New York ;

Of Patience Cook and 76 others, of Abbot, in Maine ;

Of Moses Bachelder and 16 others, of Northfield, in New Hampshire ;

Of D. J. Robinson and 17 others, of Northfield, in New Hampshire ;

Of Hannah Scofield and 70 others, of Paris, in New York ;
 Of Mary E. Tisdale and 19 others, of Paris, in New York ;
 Of James and Mary Wright and 147 others, of Camden, in New York ;
 Of Russell Knox and 47 others, of Augusta, in New York ;
 Of Marianne F. Stranahan and 150 others, of Florence, in New York ;
 Of Phebe Foster and 144 others, of Whitesborough, New York ;
 Of Sidney Ross and 119 others, of Schenectady, in New York ;
 Of Dorcus Butland and 200 others, of Wells, in Maine ;
 Of George Griffith and 18 others, of Putnam, in Illinois ;
 Of Lydia S. Lewis and 13 others, of Putnam, in Illinois ;
 Of George W. Durant and 20 others, of Rensselaerville, in New York ;
 Of Moses Chandler and 36 others, of Woodstock, in Connecticut ;
 Of Starr Clark and 55 others, of Mexico, in the State of New York ;
 Of Elisha Brown and 81 others, of Barton, in the State of Vermont ;
 Of A. B. Spear and 27 others, of Mount Pleasant, in the State of New York ;
 Of Alvan Parmelee and 80 others, of Middlefield, in the State of New York ;
 Of Pelatiah Dwight and 212 others, of Henderson, in the State of New York ;
 Of Beulah Hammond and 22 others, of Springport, in the State of New York ;
 Of William and Abigail Smith and 202 others, of Spring Arbor, in Michigan ;
 Of Lemira Eliza Johnson and 25 others, of Spring Arbor, in Michigan ;
 Of Edward Holmes and 370 others, of Lenox, in New York ;
 Of Thomas Bright and 265 others, of Lebanon, in New York ;
 Of Mary Kinney and 79 others, of Stockbridge, in New York ;
 Of Garrit Smith and 199 others, of Smithfield, in New York ;
 Of George Needham and 28 others, of Smithfield, in New York ;
 Of Rebecca Currier and 69 others, of Canaan, in New Hampshire ;
 Of Cecilia S. Cole and 61 others, of Portage, Ohio ;
 Of Ezekiel Robinson and 49 others, of York, in Maine ;
 Of Jonathan Curtis and 61 others, of Pittsfield, in New Hampshire ;
 Of James Brown and 22 others, of Jerseyville, in Illinois ;
 Of Frederick Hotchkiss and 47 others, of Windsor, New York ;
 Of John Pierce and 63 others, of Brookline, in Massachusetts ;
 Of Josiah Strong and 60 others, of Dupage, in the county of Cook, and Wills, in Illinois ;
 Of Harriet Montague and 55 others, of Cazenovia, in New York ;
 Of Daniel Lathrop and 260 others, of Cazenovia, in New York ;
 Of Mary and Hendrick De Clercq and 50 others, of Cazenovia, in New York ;
 Of Abigail Curtis and 13 others, of Maples, in New York ;
 Of Nancy Rowell and 67 others, of Orono, in Maine ;
 Of Garret Creighton and 21 others, of Philadelphia, in Pennsylvania ;
 Of William Ongley and 43 others, of Niagara, in New York ;
 Of Ebenezer Dan and Phebe Dan and 48 others, of Colchester, New York ;
 Of Charlotte S. Woodward and 131 others, of Warsaw, in New York ;
 Of Mary Barber and 47 others, of Canton, in Illinois.
 By Mr. Lincoln: Of Mindwell Sargeant and 230 others, of Leicester, in the State of Massachusetts.

By Mr. Slade : Of Harriet M. Ayer and 171 other women of Dover, in the State of New Hampshire ;

Of Silas Smith and 61 others, of Vershire, in the State of Vermont ;

Of James Morris and 33 others, of Vershire, in the State of Vermont ;

Of James Batcheller and 197 others, of Marlborough, New Hampshire ;

Of James Barton and 232 others, of Ferrisburg, in the State of Vermont ;

Of Salmon Pease and others, of Charlotte, in the State of Vermont ;

Of Abram Orris and 52 others, of Addison county and vicinity, in the State of Vermont ;

Of Josiah Morse and 404 others, men and women, of St. Johnsbury, in the State of Vermont ;

Of Caroline M. Moore and 129 other women, of Champlain, in the State of New York ;

Of James P. Butler and 116 others, of Moriah, in the State of New York ;

Of Timothy Griffith and 46 others, of Steuben, county of Oneida, in the State of New York ;

Of Edward Young and 178 others, of the county of Ulster, in the State of New York ;

Of John G. West and 24 others, of Williamsburg, in the State of New York ;

Of Amos P. St. John and 28 others, of Walton, Delaware county, in the State of New York ;

Of John Pratt and 61 other men, of Eaton, in Madison county, New York ;

Of Samuel Young and 31 others, of the city of New York ;

Of Hosea Sawyer and 192 others, citizens of Dover, in the State of New Hampshire ;

Of Rufus Swift and others, of Warren, in the State of Connecticut ;

Of Francis Gillett and others, of Bloomfield, in the State of Connecticut.

These petitions, as presented, were laid on the table, under the order of the House of the 12th December last.

Memorials praying the abolition of slavery and the slave trade in the District of Columbia, the abolition of slavery in the Territories, the prohibition of the internal slave trade, and to be heard by themselves or counsel in support of their petitions, were presented as follows, to wit:

By Mr John Quincy Adams: Of Harmon Pinney and 84 others, inhabitants of Tioga county, New York ;

Of Maria Parmenter and 41 others, inhabitants of Tioga county, in the State of New York ;

Of W. C. Gildersleeve and 31 others, of Wilkesbarre, Luzerne county, in the State of Pennsylvania ;

Of Jacob Hagaman and 42 males, and Meribah Cogswell and 56 other females, of Macedon, in the State of New York ;

Of Clarissa Spear and 36 others, inhabitants of Macedon, in the State of New York ;

Of Rachel Fish and 42 others, citizens of Macedon, in the State of New York ;

Of Harvey Leet and 49 males, and Elmira Leet and 43 females, inhabitants of Green county, in the State of New York ;

Of George B. Gaskill and 23 males, and Mary Poulton and 21 females, of New Fane, Niagara county, New York;

Of Abraham Smith and 74 men, and Martha Smith and 69 women, of New Fane, Niagara county, New York;

Of John G. McCullough and 90 others, of New Athens, Harrison county, in the State of Ohio;

Of Jesse Buckman and 37 others, citizens of Bucks county, State of Pennsylvania;

Of Reverend Alvan Bond and 64 others, citizens of New London, in the State of Connecticut;

Of William R. Smith and 104 others, inhabitants of Macedon, Wayne county, in the State of New York;

Of Esther A. Purdy and 120 others, of Macedon, Wayne county, in the State of New York;

Of Nathaniel Richardson and 71 males, and Martha P. Richardson and 71 females, of Plymouth, Litchfield county, Connecticut.

Of Samuel Hall and 26 males, and Polly Hall and 26 females, of West Hawley, in the State of Massachusetts;

Of A. S. and Mary E. Barber and 40 other inhabitants of Canton and vicinity, Fulton county, in the State of Illinois;

Of Lucius Conkey and 247 others, inhabitants of Massena, St. Lawrence county, New York;

Of Elihu McCall and 49 males, and Matilda Squire and 60 females, of Franklin county, in the State of New York;

Of Philo Hall and 37 males, and Mary Hall and 9 females, of Norfolk, St. Lawrence county, State of New York;

Of Alexander Gregg and 64 others, of Watertown, Middlesex county, in the State of Massachusetts;

Of James Stone and 18 males, and Mary B. Stephens and 8 females, of Sweden, Oxford county, Maine.

Of Darwin Canfield and 42 others, inhabitants of Pleasant Valley, Dutchess county, New York;

Of Charles Roberts and 120 others, of the town of Brooks, in the State of Maine;

Of Reuben Lefever and 106 males, and Catharine Hale and 79 females, of Reading, Steuben county, New York;

Of E. W. Goodwin and 118 males, and Polly Wilson and 99 females, of Cayuga, New York;

Of Thomas Sharp and 77 males, and Sarah Daniels and 56 females, of Morven, Marion county, Ohio;

Of Webster Laing and 22 others, citizens of Seneca county, New York;

Of Lucinda Dell and 37 others, of Seneca, New York;

Of Cyrus Cook and 69 others, of Abbot, Piscataqua county, Maine;

Of Moses Bachelder and 8 others, inhabitants of Northfield, Merrimac county, New Hampshire;

Of Samuel Forrest and 15 others, of Sanbornton, Merrimac county, New Hampshire;

Of Jesse Thomson and 45 males, and Hannah Scofield and 20 females, citizens of Paris and its vicinity, in Oneida county, State of New York;

Of Laura S. Stewart and 18 others, citizens of Utica, New York;

Of James Wright and 68 males, and Mary Wright and 77 females, of Camden and its vicinity, in the State of New York;

Of Russell Knox and Laura Dudley and 120 others, inhabitants of Augusta, in the State of Maine;

Of R. G. Stranahan and 80 males, and Marianne F. Stranahan and 73 others, females, of Florence, Oneida county, in the State of New York;

Of Rhoda Foster and 146 others, inhabitants of Whitesborough, Oneida county, New York;

Of Emmeline Johnson and 146 others, inhabitants of Meriden, New Haven county, in the State of Connecticut;

Of Hezekiah Rica and 70 others, inhabitants of Meriden, New Haven county, State of Connecticut;

Of Sidney Ross and 118 others, citizens of Schenectady, in the State of New York;

Of Arvi Rutland and 200 others, inhabitants of Wells, in York county, State of Maine;

Of George Griffith and 17 others, citizens of Putnam, in the State of Illinois;

Of Lydia S. Lewis and 13 others, inhabitants of Putnam, in the State of Illinois;

Of Eliza G. Benham and 20 others, inhabitants of Cheshire, in the county of New Haven, State of Connecticut;

Of George W. Durant and 21 others, of Rensselaerville, Albany county, New York;

Of Elisha Fish and 38 men, and Polly Fish and 36 women, of Rensselaerville, Albany county, State of New York;

Of Moses Chandler and 35 others, citizens of Woodstock, Windham county, in the State of Connecticut;

Of Starr Clarke and 55 others, of Mexico, in Oswego county, State of New York;

Of Elisha Brown and 53 other males, and Abby V. May and 28 other females, of Bartow, in Orleans county, State of Vermont;

Of A. R. Spear and 27 others, of Greensburg, in the county of West Chester, State of New York;

Of Alvan Parmelee and 38 other males, and Sylvania P. Smith and 42 other females, of Middlefield, in the county of Otsego, State of New York;

Of Pelatiah Dwight and 112 other males, and Phebe Crittenden and 100 other females, of Henderson, in the county of Jefferson, State of New York;

Of M. W. Benedict and 14 other males, and Beulah Hammond and 8 other females, of Springport, in the county of Cayuga, State of New York;

Of William Smith and 106 males, and Abigail Smith and 90 females, of Spring Arbor, in the county of Jackson, State of Michigan;

Of W. M. Sullivan and 15 other males, and Lemira Eliza Johnson and 10 other females, of same place and State;

Of Nathan Chapman and 175 males, and Margaret Fort and 181 females, of Lenox and Sullivan, in the county of Madison, State of New York;

Of Thomas Bright and 109 males, and Minerva Cruttenden and 123 females, of Lebanon, in the county of Madison, State of New York;

Of Lyman L. Frost and 46 males, and Mary Kinney and 29 females, of Stockbridge, in the county of Madison, State of New York;

Of Gerrit Smith and 98 males, and Anne Smith and 103 females, of Smithfield, in the county of Madison, State of New York;

Of George Needham and 14 males, and Loretta Needham and 12 females, of Fenner, in the county of Madison, State of New York ;

Of H. S. Currier and 45 males, and Rebecca V. Currier and 22 females, of Canaan, in the county of Grafton, State of New Hampshire ;

Of David Lere and 35 males, and Cecilia S. Coles and 18 females, of Streetsborough, in the county of Portage, State of Ohio ;

Of Ezekiel Robinson and 48 other Methodist ministers, of the counties of York and Cumberland, in the State of Maine ;

Of Jonathan Curtis and 35 males, and Anne G. Curtis and 27 females, of Pittsfield, in the county of Merrimac, State of New Hampshire ;

Of James Brown and 8 males, and Mary Brown and 8 females, of Jerseyville, in the county of Greene, State of Illinois ;

Of Frederick Hotchkiss and 18 males, and Tabitha Hotchkiss and 24 females, of Windsor, in the county of Broome, State of New York ;

Of John Pierce and 13 males, and Lucy Pierce and 48 females, of Brookline, in the State of Massachusetts ;

Of N. S. Cushing and 32 males, and Mary B. Dudley and 27 females, of Dupage, in the county of Cook, and Wills, in the State of Illinois ;

Of William Isted and 23 males, and Harriet Montague and 32 females, of Cazenovia, in the county of Madison, State of New York ;

Of Daniel Lathrop and 101 males, and Laura C. Jenkins and 161 females, of the county of Madison, State of New York ;

Of Hendrick De Clercq and 26 males, and Mary De Clercq and 24 females, of Cazenovia, in the county of Madison, State of New York ;

Of Anson P. Brooks and 6 males, and Catharine B. Ingraham and 6 females, of Nagles, in the county of Ontario, State of New York ;

Of Rebecca Newell and 51 females, of Orono, in the county of Penobscot, State of Maine ;

Of Garret Creighton and 18 others, of Philadelphia, in the State of Pennsylvania ;

Of William Ongley and 23 males, and M. S. Ongley and 20 females, of the county of Niagara, in the State of New York ;

Of Ebenezer Dan and 22 males, and Phebe Dan and 27 females, of Colchester, in the county of Delaware, State of New York ;

Of Charlotte Woodward and 156 females, of Warsaw, in the county of Genesec, State of New York ;

Of Margaret L. Dysart and 112 females, of Putnam and La Salle, in the State of Illinois ;

Of A. J. Barber and Mary E. Barber, and 40 other males and females, of Canton and its vicinity, in the county of Fulton, State of New York.

By Mr. Slade : Of Lucy Smith and others of Vershire, in the county of Orange, Vermont ;

Of James Morris and others, of Vershire, in the State of Vermont ;

Of Abram Orris and others, of Addison county, in the State of Vermont ;

Of Enoch Emack and others, of Dover, in the State of New Hampshire ;

Of Caroline M. Moore and 130 others, of Champlain, in the State of New York ;

Of John Pratt and others, of Madison county, in the State of New York ;

Of James P. Butler and others, of Moriah, in the State of New York ;

Of Amos P. St. John and others, of Walton, in the State of New York ;

Of Samuel Hackley and others, of Ellesburg, Jefferson county, New York ;

Of James McFarlane and 16 others, of Eaton, in the State of New York;

Of R. Sulye and others, of Westmoreland, New York;

Of Timothy Griffith and others, of Steuben, in the State of New York;

Of Rufus Swift and others, of Warren, in the State of Connecticut;

Of Francis Gillett and 37 others, of Bloomfield, in the State of Connecticut;

Of Harriet M. Ayer and others, of Dover, in the State of New Hampshire;

Of James Batcheller and others, of Marlborough, in the State of New Hampshire;

Of John R. Bolles and others, of New London, in the State of Connecticut;

Of W. W. Patton and others, of New York;

Of John G. West and 24 others, of Williamsburg, Tioga county, in the State of New York;

Of James Barton and others, of Ferrisburg, in the State of Vermont;

Of E. C. Knapp and others, of Montpelier, in the State of Vermont;

Of Josiah Morse and others of St. Johnsbury, in the State of Vermont;

Of Edward Young and others, of the county of Ulster, in the State of New York;

Of inhabitants of Charlotte, in the State of Vermont.

By Mr. John Quincy Adams: Of William Sims and Deborah Sims and others, males and females, of Cazenovia, in the State of New York;

Of Ezra Carter and 46 males, and Hannah Kimball and 26 females, of Leyden, Lewis county, in the State of New York;

Of Edward Wilson and Abigail Camp and others, men and women, of Pittsford, Monroe county, State of New York;

Of John Pitts and Susan D. Hurlbut and others, men and women, of Steuben county, in the State of New York;

Of Isaac Field and Martha Turner and others, men and women, of Denmark, in the county of Des Moines and Territory of Iowa;

Of James W. Willis and others, of Delavan and vicinity, in the county of Fulton, State of Illinois;

Of John Elmore and Amancy Eastman, of Madison county, in the State of New York.

By Mr. Reily: Of inhabitants of Dauphin county, in the State of Pennsylvania.

By Mr. Clark: Of inhabitants of Smyrna, in Chenango county, in the State of New York.

By Mr. Andrews: Of inhabitants of Steuben county, in the State of New York.

By Mr. Hall: Of inhabitants of Andover, in the State of New York.

By Mr. E. Davies: Of inhabitants of Lancaster county, in the State of Pennsylvania.

By Mr. Henry: Of inhabitants of Beaver county, in the State of Pennsylvania.

By Mr. Russell: Of inhabitants of Salem, in the county of Washington, State of New York;

Two memorials of inhabitants of Washington county, in the State of New York.

By Mr. John Quincy Adams : Of Ezekiel Wilbur and others, of Macedon, in the State of New York.

By Mr. Henry : Of inhabitants of Beaver and Butler counties, Pennsylvania.

By Mr. Grennell : Of inhabitants of Petersham, in the State of Massachusetts.

By Mr. Fillmore : Of Daniel Babcock and others, of the town of Alfred, in the State of New York.

By Mr. Grennell : Of inhabitants of Chesterfield, in the State of Massachusetts.

By Mr. Fillmore : Of inhabitants of the county of Erie, in the State of New York.

By Mr. Clark : Of inhabitants of Guilford, Chenango county, in the State of New York.

By Mr. Edwards : Of inhabitants of the county of Montgomery, in the State of New York ;

Of inhabitants of Amsterdam, in the State of New York.

By Mr. Cushing : Of inhabitants of Chester, in the county of Rockingham and State of New Hampshire.

By Mr. Smith, of Maine : Of legal voters of Freeport, in the county of Cumberland and State of Maine.

By Mr. Lincoln : Of inhabitants of Princeton, Massachusetts.

By Mr. John Quincy Adams : Of inhabitants of Wilton, in the county of Hillsborough and State of New Hampshire ;

Of George Millard and others, inhabitants of Washtenaw, in the State of Michigan ;

Of Timothy Abbot and others, of Wilton, in the county of Hillsborough and State of New Hampshire.

By Mr. Peck : Of inhabitants of York, in the State of New York :

Two petitions of citizens of Mount Morris, in the county of Livingston and State of New York ;

Two petitions of inhabitants of the towns of Mount Morris and Sparta, in the State of New York.

By Mr. Grennell : Two memorials of inhabitants of Warwick, in the State of Massachusetts ;

Two memorials of inhabitants of Enfield, in the State of Massachusetts :

Of inhabitants of Heath, in the State of Massachusetts.

By Mr. Fillmore : Two memorials of inhabitants of Erie county, in the State of New York ;

Of inhabitants of Cortlandt county, in the State of New York.

By Mr. Giddings : Three memorials of inhabitants of Trumbull county, in the State of Ohio ;

Of inhabitants of Coitsville, in the State of Ohio ;

Of inhabitants of Huntsburg, in the State of Ohio.

By Mr. Noyes : Of inhabitants of Machias, in the State of Maine ;

Of inhabitants of Calais, in the State of Maine.

By Mr. Evans : Of inhabitants of Huntsville, in the State of Maine.

By Mr. Clark. Of inhabitants of Steuben county, in the State of New York.

By Mr. S. Mason : Of inhabitants of Clarke and Greene counties, in the State of Ohio.

By Mr. Hall : Of inhabitants of Dorset, in the State of Vermont ;

Of inhabitants of Grafton, in the State of Vermont;

Of inhabitants of Halifax, in the State of Vermont.

By Mr. Hoffman : Two memorials of inhabitants of the city of New York.

By Mr. Marvin : Of inhabitants of Harmony, in the State of New York;

Of inhabitants of Chautauque county, in the State of New York.

By Mr. Putnam : Of inhabitants of Darien, in the State of New York.

By Mr. Saltonstall : Of inhabitants of Lynfield, in the State of Massachusetts.

By Mr. Lincoln : Two memorials of inhabitants of Gardner, in the State of Massachusetts;

Two memorials of inhabitants of Grafton, in the State of Massachusetts.

By Mr. Haley : Of inhabitants of Pomfret, in the State of Connecticut;

Of inhabitants of New London, in the State of Connecticut.

By Mr. Childs : Of inhabitants of Monroe county, in the State of New York.

By Mr. E. Robinson : Of inhabitants of Lincoln county, in the State of Maine.

By Mr. Davee : Of inhabitants of Bangor, in the State of Maine.

By Mr. Ridgway : Of inhabitants of Cayuga county, in the State of New York.

By Mr. Ingham : Of inhabitants of Farmington, in the State of Connecticut.

By Mr. E. Davies : Of inhabitants of Lancaster county, in the State of Pennsylvania.

By Mr. Reed : Of inhabitants of Edgartown, in the State of Massachusetts.

By Mr. Isaac Fletcher : Of inhabitants of Caledonia county, in the State of Vermont.

By Mr. McKennan : Of inhabitants of Washington county, in the State of Pennsylvania.

These petitions, as presented, were laid on the table, under the order of the House of the 12th December last.

Petitions praying for the abolition of slavery and the slave trade in the District of Columbia, and for the prohibition of the internal slave trade, were presented by Mr. John Quincy Adams, as follows, to wit :

Of Ruth S. Pierce and 68 others, of Philadelphia and Bucks counties, in the State of Pennsylvania ;

Of Sarah Paxson and 67 others, of Philadelphia and Bucks county, in Pennsylvania ;

Of George Wright and 23 others, of Carrollton, Greene county, Illinois ;

Of Henry Gilpin and 23 males, and Esther Gilpin and 12 females, of Clinton county, New York ;

Of Mary Whitaker, of Clarkesville, Ohio ;

Of D. D. Lightner and 30 others, of Coshocton county, in the State of Ohio.

Of Deborah P. Palmer and 98 others, of Georgetown, Essex county, Massachusetts ;

Of Austin K. Miles and 188 others, of Worcester, in the State of Massachusetts ;

Of W. H. Ellis and 20 men, and Abigail S. Ellis and 12 women, of Crosswicks, New Jersey ;

Of Hudson S. Ellis and 19 others, and Caroline S. Ellis and 12 others, of Crosswicks, New Jersey ;

Of Mary F. Bachelder and 10 others, of Northfield, Massachusetts ;
Of N. G. Ladd and Abigail Ladd and 26 others, men and women, of Sanbornton, in the State of New Hampshire ;

Of D. C. Blood and 49 others, of Lenawee, Michigan ;
Of Elizabeth N. Hayward and 138 others, of Braintree, Norfolk county, Massachusetts ;

Of Priscilla Weston and 140 others, of Weymouth, Norfolk county, Massachusetts ;

Of Mehitable Hunt and 132 others, of Abingdon, Massachusetts.

These petitions, as presented, were laid on the table, under the order of the 12th of December last.

Memorials praying Congress to abolish slavery and the slave trade in the District of Columbia and in the Territories; to interdict the slave trade between the States; and to admit no new State into the Union whose constitution tolerates slavery, were presented, as follows, viz :

By Mr. Henry : Of inhabitants of Beaver county, in the State of Pennsylvania ;

Of inhabitants of Mercer county, in the State of Pennsylvania.

By Mr. Naylor : Five memorials of inhabitants of Allegany county, in the State of Pennsylvania.

By Mr. McKennan : Two memorials of inhabitants of Brownsville, in the State of Pennsylvania.

By Mr. Hall : Of inhabitants of Dover, in the State of Vermont.

By Mr. Saltonstall : Of inhabitants of Danvers, in the State of Massachusetts.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December last.

Petitions were presented praying Congress to abolish slavery and the slave trade in the District of Columbia and in the Territory of Florida; to prohibit the internal slave trade; to admit no new State whose constitution tolerates slavery; and to reject all applications for the annexation of Texas to the United States, as follows, to wit :

By Mr. Tillinghast : Of inhabitants of Cranston, in the State of Rhode Island ;

Of inhabitants of Woonsocket village, in the State of Rhode Island ;

Of inhabitants of Warwick, in the State of Rhode Island ;

Of inhabitants of Johnston, in the State of Rhode Island ;

Of inhabitants of Scituate, in the State of Rhode Island ;

Two memorials of inhabitants of Newport, in the State of Rhode Island ;

Of inhabitants of Olneyville, in the State of Rhode Island ;

Two memorials of inhabitants of Smithfield, in the State of Rhode Island ;

Of inhabitants of Warwick, in the State of Rhode Island ;

Two memorials of inhabitants of South Kingstown, in the State of Rhode Island ;

Of inhabitants of Clarksville, in the State of Rhode Island.

These petitions, as presented, were laid on the table, under the order of the House of the 12th of December last.

Memorials praying the abolition of slavery and the slave trade in the District of Columbia, or in the District of Columbia and in the Territories, were presented, as follows, to wit :

By Mr. Randolph: Of citizens of New Jersey.

By Mr. E. Davies: Four memorials of inhabitants of Lancaster county, in the State of Pennsylvania.

By Mr. Lincoln: Of inhabitants of Winchendon, in the State of Massachusetts;

Of inhabitants of Westminster, in the State of Massachusetts;

Of inhabitants of Sterling, in the State of Massachusetts;

Of inhabitants of Milbury, in the State of Massachusetts.

By Mr. Briggs: Of inhabitants of Foxborough, in the State of Massachusetts;

Of inhabitants of Lenox, in the State of Massachusetts.

By Mr. W. B. Calhoun: Of inhabitants of Southampton, in the State of Massachusetts;

Six memorials of inhabitants of Springfield, in the State of Massachusetts.

By Mr. Giddings: Of inhabitants of Licking county, in the State of Ohio;

Of inhabitants of Madison county, in the State of Ohio;

Two memorials of inhabitants of Ashtabula county, in the State of Ohio.

By Mr. Evans: Two memorials of inhabitants of the town of Leeds, in the State of Maine;

Two memorials of inhabitants of the town of Mercer, in the State of Maine;

Of inhabitants of Mount Vernon, in the State of Maine.

By Mr. Tillinghast: Of inhabitants of Providence, in the State of Rhode Island;

Two memorials of inhabitants of North Providence, in the State of Rhode Island;

Of inhabitants of Coventry, in the State of Rhode Island;

Of inhabitants of Johnston, in the State of Rhode Island.

By Mr. Borden: Of inhabitants of Fall River, in the State of Massachusetts;

Two memorials of inhabitants of Middleborough, in the State of Massachusetts;

Of inhabitants of Bristol county, in the State of Massachusetts.

By Mr. Grennell: Of inhabitants of Greenfield, in the State of Massachusetts;

Of inhabitants of Hadley, in the State of Massachusetts.

By Mr. Potts: Nine memorials of inhabitants of Chester county, in the State of Pennsylvania;

Two memorials of inhabitants of Montgomery county, in the State of Pennsylvania;

Of Sidney Way and others, females, of the State of Pennsylvania.

By Mr. McKennan: Three memorials of inhabitants of Washington county, in the State of Pennsylvania.

By Mr. Clark: Two memorials of inhabitants of Chenango county, in the State of New York;

Of inhabitants of Otsego county, in the State of New York.

By Mr. Saltonstall: Of inhabitants of Danvers, in the State of Massachusetts;

Of inhabitants of Salem, in the State of Massachusetts.

By Mr. Reed: Of inhabitants of New Bedford, in the State of Massachusetts.

By Mr. Harper: Of inhabitants of Muskingum county, in the State of Ohio.

By Mr. Sergeant: Of inhabitants of Chester county, in the State of Pennsylvania.

By Mr. Alexander: Of inhabitants of Guernsey county, in the State of Ohio.

By Mr. Naylor: Of inhabitants of Delaware county, in the State of Pennsylvania.

By Mr. Putnam: Of inhabitants of the State of New York.

By Mr. Dunn: Of inhabitants of the State of Indiana.

By Mr. C. Morris: Of inhabitants of Athens county, in the State of Ohio.

By Mr. Ridgway: Of inhabitants of the State of Ohio.

By Mr. Fillmore: Of inhabitants of Boston, Erie county, New York.

By Mr. Goode: Of inhabitants of Montgomery county, in the State of Ohio.

By Mr. Parmenter: Of inhabitants of Ashby, in the State of Massachusetts;

Of inhabitants of Marlborough, in the State of Massachusetts.

These memorials, as presented, were laid on the table, under the order of the 12th of December last.

Petitions praying the abolition of slavery and the slave trade in the District of Columbia, the abolition of slavery in the Territories, that no new State whose constitution tolerates slavery be admitted into the Union, and that all applications for the annexation of Texas to the United States be rejected, were presented by Mr. John Quincy Adams, as follows, to wit:

Of Nathan Lord and 111 others, of Hanover, in the State of New Hampshire;

Of Elizabeth H. Lord and 224 others, of Hanover, in the State of New Hampshire;

Of Aaron W. Porter and 76 others, of South Portland, New York.

Mr. John Quincy Adams also presented the memorial of Henry Archibald and Rebecca Archibald and 31 others, men and women, of Bow, in the county of Merrimac and State of New Hampshire, praying the abolition of slavery in the District of Columbia and the Territories, the prohibition of the internal slave trade, the rejection of all applications for the annexation of Texas, the establishment of commercial relations with Hayti, that no new State whose constitution tolerates slavery be admitted into the Union, and that the memorial be referred to a committee, and the memorialists heard by counsel.

A petition praying the abolition of slavery and the slave trade in the District of Columbia, the abolition of slavery in the Territories, and that no new State whose constitution tolerates slavery be admitted into the Union, was presented by Mr. John Quincy Adams, from Joseph Johnson and 35 men, and Catharine Johnson and 28 women, of Stark county, in the State of Ohio.

Mr. E. Robinson presented the petition of inhabitants of Dorchester, in the State of New Hampshire, praying Congress to abolish slavery in the District of Columbia and the Territories of the United States, to interdict the internal slave trade, to rescind the resolution of the House of Rep-

representatives of December 21, 1837, and to reject any proposals for the annexation of Texas.

These several memorials and petitions, as presented, were laid on the table, under the order of 12th December last.

Mr. Herod presented joint resolutions of the General Assembly of the State of Indiana, which are in the words following, viz:

STATE OF INDIANA.

Resolved by the General Assembly of the State of Indiana, That any interference in the domestic institutions of the slaveholding States of the Union, without their consent, either by Congress or the State Legislatures, is contrary to the compact by which these States became members of the Union.

Resolved, That any such interference is highly reprehensible, unpatriotic, and injurious to the peace and stability of the Union.

Resolved, That a copy of this resolution be forwarded to each of our Senators and Representatives in Congress.

PH. J. EVANS,

Speaker House of Representatives.

DANIEL HILLS,

President of the Senate.

Approved January 29, 1839.

DANIEL WALLACE.

These resolutions were laid on the table, under the order of the 12th of December last.

Memorials praying the abolition of slavery and the slave trade in the District of Columbia, and the Territories where they exist, were presented as follows, to wit:

By Mr. Adams: Of Relief Shumway and 64 others, of Ware village, in the State of Massachusetts;

Of Cynthia K. Daggett and others, of Pawtucket, in the State of Massachusetts;

Of Virgil Noble and others, of Otter creek, Green county, Illinois;

Of Rachel C. Bliss and others, females, of Rehoboth, Bristol county, in the State of Massachusetts.

These memorials, as presented, were laid on the table, under the order of the House of the 12th December last.

Mr. John Quincy Adams presented a memorial of Jeremiah Fowler and others, inhabitants of Lubec, in the State of Maine, praying that an inquiry be instituted into the possibility of mitigating, by constitutional means, the horrors of the slave markets in the United States, and that the bounds of slavery be not extended; which memorial was laid on the table, under the order of the House of the 12th of December last.

Memorials praying Congress to admit no new State into the Union whose constitution tolerates slavery; to reject all propositions for the annexation of Texas to the United States; and that the memorialists be heard by themselves or counsel in support of their prayer, were presented as follows, to wit:

By Mr. Hoffman: Of Myron Finch and 803 others, of the city of New York.

By Mr. Evans: Of inhabitants of the town of Leeds, of the town of Mount Vernon, and of the town of Mercer, in the State of Maine.

By Mr. Grennell: Of inhabitants of the town of Heath, of the town of Warwick, and of the town of Greenfield, in the State of Massachusetts.

By Mr. Borden: Of inhabitants of Fall river, in the State of Massachusetts;

Of inhabitants of Middleborough, in the State of Massachusetts.

By Mr. Davee: Of inhabitants of Bangor, in the State of Maine.

By Mr. Haley: Memorials of inhabitants of New London and of Pomfret, in the State of Connecticut.

By Mr. Naylor: Of inhabitants of Pittsburg and of Delaware county, in the State of Pennsylvania.

By Mr. Giddings: Three memorials of inhabitants of Trumbull county, in the State of Ohio;

Of inhabitants of Granville, of Huntsburg, and of Ashtabula county, respectively, in the State of Ohio.

By Mr. Tillinghast: Two memorials of inhabitants of Kent, in the State of Ohio;

Two memorials of inhabitants of Tiverton, in the State of Rhode Island.

By Mr. Lincoln: Of inhabitants of the town of Winchester, of the town of Grafton, of the town of Ashburnham, of the town of Milbury, and of the town of Gardner, in the State of Massachusetts.

By Mr. Noyes: Of inhabitants of the town of Machias and of the town of Calais, in the State of Maine.

By Mr. Hall: Of inhabitants of the town of Grafton and of the town of Dorset, in the State of Vermont.

By Mr. Marvin: Two memorials of inhabitants of Chautauque county, in the State of New York.

By Mr. Clark: Three memorials of inhabitants of Chenango county, in the State of New York.

By Mr. Calhoun: Two memorials of inhabitants of Springfield, in the State of Massachusetts.

By Mr. Davee: Of inhabitants of Exeter, in the State of Maine.

By Mr. Ingham: Of inhabitants of Farmington, in the State of Connecticut.

By Mr. S. Mason: Of inhabitants of Green and Clark counties, in the State of Ohio.

By Mr. Davee: Of inhabitants of Exeter, in the State of Maine.

By Mr. Fillmore: Of inhabitants of Cortlandt county, in the State of New York.

By Mr. Briggs: Of inhabitants of Lenox, in the State of Massachusetts.

By Mr. C. Morris: Of inhabitants of Athens county, in the State of Ohio.

By Mr. Putnam: Of inhabitants of the State of New York.

By Mr. Childs: Of inhabitants of Monroe county, New York.

By Mr. Fletcher, of Vermont: Of inhabitants of Barnet, in the State of Vermont.

By Mr. Reed: Of inhabitants of Edgartown, in the State of Massachusetts.

By Mr. Fillmore: Of inhabitants of the State of New York.

These memorials, as presented, were laid on the table, under the order of the House of the 12th of December last.

Memorials praying Congress to abolish slavery and the slave trade in

constitution tolerates slavery; and that the republic of Hayti be recognised; which memorial was laid on the table, under the order of the 12th of December last.

Mr. John Quincy Adams presented a petition of George Millard and others, citizens of Dexter and vicinity, in the county of Washtenaw and State of Michigan, addressed to the Legislature of the State of Michigan, and praying that body to pass resolutions asserting the constitutional power of Congress to abolish slavery and the slave trade in the District of Columbia and in the Territories where they exist, and to prohibit the slave trade between the States.

Mr. John Quincy Adams presented the memorial of Jesse Phillips and others, inhabitants of the State of Indiana, praying Congress to exercise all constitutional authority in them invested for the destruction of the slave system.

Mr. John Quincy Adams presented the memorial of Ellis Davis and others, of the State of Indiana, praying Congress to use all the authority in them invested by the constitution for the destruction of the slave system.

Mr. John Quincy Adams presented the petition of John Jay and others, residents of the city of New York, praying Congress to propose such amendments to the constitution as shall make the total exclusion and absolute prohibition of slavery a certain and necessary condition for the admission of any new State or Territory hereafter established.

Mr. John Quincy Adams presented the memorial of Lydia Faxon and other women of Lubec, in the State of Maine, protesting against the extension of slavery by the authority and sanction of Congress.

Mr. John Quincy Adams presented the petition of N. B. Buel and 41 legal voters of Batavia, in the State of New York, praying Congress to reject the application of any State or Territory that may seek to be admitted into the Union with a constitution tolerating slavery.

These several petitions, presented by Mr. Adams, were laid on the table, under the order of the 12th of December last.

Mr. John Quincy Adams presented a petition of William Windsor and others, of the town of Pike, in the county of Allegany and State of New York, praying Congress to appoint a select committee to inquire concerning the existence of laws in the District of Columbia relative to the robbing of individuals of their rights; which petition was ordered to lie on the table.

Mr. Ridgway presented the memorial of Ruth Morben and others, citizens of the State of Ohio, praying Congress to use their influence, in a peaceable manner, for the deliverance of the African race; which petition was laid on the table under the order of December 12th.

Petitions praying the immediate abolition of slavery and the slave-trade in the District of Columbia, and of the slave trade between the States; the rejection of any application for the admission of Florida, or any other slave-holding Territory, into the Union; and the enactment of such laws as may be needed to suppress the slave trade between this country and the foreign state of Texas, were presented by Mr. Cushing, as follows, to wit:

Of John E. Bartlett and others, of West Newbury, Massachusetts; and

Of Thomas Thaxter and others, of Methuen, in the State of Massachusetts.

Mr. Cushing presented the petition of William Swasey and others, inhabitants of Limerick, in the State of Maine, praying Congress to abolish slavery in the District of Columbia and in Florida, and to prohibit the slave trade between the States.

Memorials praying Congress to abolish slavery in the District of Columbia and in Florida, to prohibit the inter-state slave trade, and to admit no new State whose constitution tolerates slavery, were presented by Mr. Cushing, as follows, to wit:

Of Willard Russell and 71 others of Amherst, New Hampshire;

Of Sarah C. Wilkins and 79 others, women of Amherst, New Hampshire.

These several memorials, as presented by Mr. Cushing, were laid on the table, under the order of the 12th of December last.

Memorials were presented by Mr. John Quincy Adams, praying that slavery and the slave trade be abolished in the District of Columbia, that the internal slave trade be prohibited, and that no new State be admitted into the Union whose constitution tolerates slavery, as follows, to wit:

Of Thomas Henry and 81 others of Newport, Windham county, in the State of New Hampshire; and

Of Elizabeth Barron and 95 others of Newport, Windham county, in the State of New Hampshire.

By Mr. Slade: Of Robert Stuart and others of Wayne county, Michigan.

These memorials, as presented, were laid on the table, under the order of the 12th of December last.

Mr. John Quincy Adams presented a memorial of Herman Halsey and J. Hawley and 50 others, of Niagara county, State of New York, praying the abolition of slavery and the slave trade in the District of Columbia; the abolition of slavery in the Territories; the prohibition of the internal slave trade; that no new State whose constitution tolerates slavery be admitted into the Union; that they be heard by themselves or counsel in support of their petition; and that the republic of Hayti be recognised; which memorial was laid on the table, under the order of the 12th of December last.

Memorials were presented by Mr. John Quincy Adams, praying that slavery and the slave trade be abolished in the District of Columbia; that slavery be abolished in the Territories of the United States; that the internal slave trade be prohibited; that no new State whose constitution tolerates slavery be admitted into the Union; that all applications for the annexation of Texas to the United States be rejected; and that they be heard by themselves or counsel in support of their petition, as follows, to wit:

Of John H. Darling and 108 others of Warsaw, Geneva county, in the State of New New York;

Of John P. and Nancy Smith, of Denmark, in the county of Oxford and State of Maine.

These memorials were laid on the table, under the order of the House of the 12th of December last.

Mr. John Quincy Adams presented a memorial of William T. Allen and 19 others, and Lucy M. Parsons and 14 others, of Sangamon, in Illinois, praying Congress to rescind the resolutions of the 12th of December, 1838; to abolish slavery and the slave trade in the District of Columbia; to prohibit the internal slave trade; to admit no new State into the Union whose

Memorials praying that slavery and the slave trade be abolished in the District of Columbia ; that slavery be abolished in the Territories of the United States ; that the internal slave trade be prohibited ; that all applications for the annexation of Texas to the United States be rejected ; and that the resolutions of the House of Representatives of the 11th and 12th December, 1838, be rescinded, were presented by Mr. John Quincy Adams, as follows, to wit :

Of Daniel Hardy and 32 others, of Hebron, Grafton county, New Hampshire ;

Of Mary Hazleton and 55 others, of Hebron, Grafton county, New Hampshire ;

Of Daniel Pulsifer and 64 others, of Groton, Grafton county, in the State of New Hampshire ;

Of Margaret Hurlburt and 88 others, of Groton, Grafton county, New Hampshire.

These memorials were severally laid on the table, under the order of the 12th of December last.

Mr. John Quincy Adams presented the memorial of C. H. Hoyt and 104 others, of Saratoga county, in the State of New York ; and

The memorial of Loammi and Sarah Lancaster and 114 others, men and women, of New Hudson, in Allegany county, in the State of New York, severally praying—

That slavery and the slave trade be abolished in the District of Columbia ; the abolition of slavery in the Territories ; the prohibition of the internal slave trade ; that no new State whose constitution tolerates slavery be admitted into the Union ; that the memorialists be heard by themselves or counsel in defence of their petition ; and that the republic of Hayti be recognised ;

which memorials were laid on the table, under the order of the 12th of December last.

Memorials remonstrating against all orders or resolutions of the House of Representatives abridging the right of the people to petition, and asking a repeal of all orders and resolutions whereby petitions, on any subject, are laid on the table without being read, debated, printed, or referred, were presented, as follows, to wit :

By Mr. Lincoln : Two memorials of inhabitants of Northboro', in the State of Massachusetts ;

Of inhabitants of West Boylston, in the State of Massachusetts ;

Of inhabitants of Webster, in the State of Massachusetts ;

Of inhabitants of Ashburnham, in the State of Massachusetts ;

Of inhabitants of Harvard, in the State of Massachusetts ;

Of inhabitants of Millbury, in the State of Massachusetts ;

Of inhabitants of Holden, in the State of Massachusetts ;

Of inhabitants of Sterling, in the State of Massachusetts ;

Of inhabitants of Gardner, in the State of Massachusetts ;

Of inhabitants of Grafton, in the State of Massachusetts.

By Mr. Grennell : Memorials of inhabitants of the towns of Northfield, Bernardstown, Conway, Ashfield, and Warwick, respectively, and of the county of Franklin, in the State of Massachusetts.

By Mr. Briggs : Memorials of inhabitants of the town of Pittsfield, of the town of Sunderland, and of the town of Williamstown, in the State of Massachusetts ;



These memorials and petitions were laid on the table, under the order of the House of the 12th of December last.

Mr. White presented the joint resolutions of the Legislature of the State of Indiana, expressing their disapprobation of any interference with the domestic institutions of the slave-holding States against their consent, a copy of the resolutions from the same Legislature this day presented by Mr. Herod; which resolutions were laid on the table, under the order of the 12th December last.

Memorials praying Congress to abolish slavery and the slave trade in the District of Columbia and the Territory of Florida; to prohibit the inter-state slave trade; to admit no new State into the Union whose constitution tolerates slavery; to recognise the independence of Hayti; and to take measures for the suppression of the foreign slave trade, were presented by Mr. White, as follows, to wit:

Of Abijah Bigelow, senior, and 25 others, males, and Lucy B. Williams and 17 others, females, and 12 minors, (over the age of fifteen years,) inhabitants of Laporte county, Indiana; and

Of Thomas Tyrwell and other citizens of Laporte county, Indiana.

These memorials were laid on the table, under the order of the 12th December last.

Memorials were presented by Mr. John Quincy Adams, in relation to the treatment of Amos Dresser, and other free citizens of the United States, in several of the States, and praying Congress to inquire into these transactions, and to take measures to preserve the constitution and the rights of the citizens of the United States, as follows, to wit:

Of Nehemiah Huntington and 30 men, and Laura Bosworth and 10 women, of Smithfield, in the State of New York;

Of David A. Robinson and 98 others, of Casenovia, Madison county, in the State of New York;

Of T. M. Ward and others, of Abington, in the State of New Hampshire.

By Mr. Slade: Of Edward Lewis and others, of Lenox, in the State of New York.

Ordered, That the said memorials do lie on the table.

Mr. John Quincy Adams presented the memorial of John Thomas and Samuel Forbes, remonstrating against the passage of any international law by which the Government of the United States and that of the republic of Texas shall mutually stipulate an exchange of criminals who have fled from justice in either country; which memorial was laid on the table.

Mr. John Quincy Adams presented a memorial from S. Milton Bigelow, of Brookfield, Vermont, praying the House of Representatives to pass a resolution in support of the principles of universal liberty; which memorial was laid on the table.

Mr. John Quincy Adams presented the memorial of James Nelson and 64 men, and Emily C. Tracy and 60 women, of Venango, Erie county, in the State of Pennsylvania, praying Congress to abolish slavery and the slave trade in the District of Columbia; to abolish slavery in the Territories of the United States; to prohibit the internal slave trade; to admit no new State into the Union whose constitution tolerates slavery; and to rescind the resolution of the House of Representatives adopted on the 11th and 12th December, 1838; which memorial was laid on the table, under the order of the 12th December last.

Memorials praying that slavery and the slave trade be abolished in the District of Columbia ; that slavery be abolished in the Territories of the United States ; that the internal slave trade be prohibited ; that all applications for the annexation of Texas to the United States be rejected ; and that the resolutions of the House of Representatives of the 11th and 12th December, 1838, be rescinded, were presented by Mr. John Quincy Adams, as follows, to wit :

Of Daniel Hardy and 32 others, of Hebron, Grafton county, New Hampshire ;

Of Mary Hazleton and 55 others, of Hebron, Grafton county, New Hampshire ;

Of Daniel Pulsifer and 64 others, of Groton, Grafton county, in the State of New Hampshire ;

Of Margaret Hurlburt and 88 others, of Groton, Grafton county, New Hampshire.

These memorials were severally laid on the table, under the order of the 12th of December last.

Mr. John Quincy Adams presented the memorial of C. H. Hoyt and 104 others, of Saratoga county, in the State of New York ; and

The memorial of Loammi and Sarah Lancaster and 114 others, men and women, of New Hudson, in Allegany county, in the State of New York, severally praying—

That slavery and the slave trade be abolished in the District of Columbia ; the abolition of slavery in the Territories ; the prohibition of the internal slave trade ; that no new State whose constitution tolerates slavery be admitted into the Union ; that the memorialists be heard by themselves or counsel in defence of their petition ; and that the republic of Hayti be recognised ;

which memorials were laid on the table, under the order of the 12th of December last.

Memorials remonstrating against all orders or resolutions of the House of Representatives abridging the right of the people to petition, and asking a repeal of all orders and resolutions whereby petitions, on any subject, are laid on the table without being read, debated, printed, or referred, were presented, as follows, to wit :

By Mr. Lincoln : Two memorials of inhabitants of Northboro', in the State of Massachusetts ;

Of inhabitants of West Boylston, in the State of Massachusetts ;

Of inhabitants of Webster, in the State of Massachusetts ;

Of inhabitants of Ashburnham, in the State of Massachusetts ;

Of inhabitants of Harvard, in the State of Massachusetts ;

Of inhabitants of Millbury, in the State of Massachusetts ;

Of inhabitants of Holden, in the State of Massachusetts ;

Of inhabitants of Sterling, in the State of Massachusetts ;

Of inhabitants of Gardner, in the State of Massachusetts ;

Of inhabitants of Grafton, in the State of Massachusetts.

By Mr. Grennell : Memorials of inhabitants of the towns of Northfield, Bernardstown, Conway, Ashfield, and Warwick, respectively, and of the county of Franklin, in the State of Massachusetts.

By Mr. Briggs : Memorials of inhabitants of the town of Pittsfield, of the town of Sunderland, and of the town of Williamstown, in the State of Massachusetts ;



Six memorials of inhabitants of the town of Hawley, in the State of Massachusetts.

By Mr. Borden : Two memorials of inhabitants of the town of Middleboro', in the State of Massachusetts ;

Memorials of inhabitants of the towns of East Bridgewater, West Bridgewater, Fall River, Taunton, North Bridgewater, and Seekonk, respectively, in the State of Massachusetts.

By Mr. Saltonstall : Two memorials of inhabitants of Danvers, in the State of Massachusetts ;

Of inhabitants of Gloucester, in the State of Massachusetts.

By Mr. Hall : Of inhabitants of the towns of Jamaica, Townshend, Chester, and Shaftesbury, respectively, in the State of Vermont.

By Mr. Reed : Of inhabitants of Nantucket, and of inhabitants of Falmonth, in the State of Massachusetts.

By Mr. Calhoun : Of inhabitants of South Hampton, of Belchertown, of South Hadley, and of West Springfield, in the State of Massachusetts.

By Mr. Parmenter : Three memorials of inhabitants of Cambridge, in the State of Massachusetts ;

Two memorials of inhabitants of Chelmsford, in the State of Massachusetts ;

Of inhabitants of Sudbury, of Ashby, and of Dunstable, respectively, in the State of Massachusetts.

By Mr. Giddings : Of inhabitants of Ashtabula county, in the State of Ohio.

By Mr. Noyes : Of inhabitants of Calais, in the State of Maine.

By Mr. Fletcher, of Massachusetts : Of inhabitants of Boston, in the State of Massachusetts.

By Mr. Naylor : Of inhabitants of Philadelphia and Montgomery counties, in the State of Pennsylvania.

By Mr. E. Davies : Of inhabitants of Lancaster county, in the State of Pennsylvania.

By Mr. Potts : Of inhabitants of Chester county, in the State of Pennsylvania.

Memorials praying Congress to recognise, and establish the customary international relations with, the republic of Hayti, were presented, as follows, to wit :

By Mr. Ingham : Of inhabitants of Farmington, in the State of Connecticut.

By Mr. Tillinghast : Of inhabitants of Tiverton, in the State of Rhode Island.

By Mr. Lincoln : Of inhabitants of Worcester, in the State of Massachusetts.

By Mr. Hall : Of inhabitants of Dorset, in the State of Vermont.

By Mr. Reed : Of inhabitants of Edgartown, in the State of Massachusetts.

By Mr. Hastings : Of Eliab Wright and 830 men, and Mary Wright and 118 women, of Bellingham, in the State of Massachusetts ;

Of Edmund Dowse and 44 others, of the town of Sherburne, in the State of Massachusetts ;

Of Charles Ellis and 71 others, legal voters, and 53 women, of Uxbridge, in the State of Massachusetts ;

Of Sewall Harding and 150 others, of Medway, Massachusetts ;

Of Willard Chamberlain and 64 others, of Southborough, Massachusetts;
Of Asa Harding and 55 men and 170 women, of North Wrentham, Massachusetts;
Of Susan B. Hayward and 63 women, of Mendon, Massachusetts;
Of Charles C. P. Hastings and 69 others, of Mendon, Massachusetts;
Of Timothy Morse and 200 others, inhabitants of Foxborough, Massachusetts;
Of Nahum Fisher and 59 others, of Westborough, Massachusetts;
Of Martin Torrey and 31 others, inhabitants of Foxborough, Massachusetts;
Of Sherman Rattle and 41 legal voters, and 52 women, of Dover, Massachusetts;
Of Benjamin Wood and 115 legal voters, and of Betsey Wood and 197 women, of Upton, Massachusetts;
Of Simeon B. Carpenter and 36 others, of Dedham, Massachusetts.
By Mr. John Quincy Adams: Of William C. Gildersleeve and 31 others, of Wilkesbarre, Luzerne county, Pennsylvania;
Of Hudson S. and Caroline S. Ellis and 21 others of Crosswicks, New Jersey;
Of A. A. Guthrie and 66 others, of Muskingum county, Ohio;
Of Anna R. White and 127 others, of Kingston, Plymouth county, Massachusetts;
Of James O. Clapp and 138 others, of North Bridgewater, Plymouth county, Massachusetts;
Of Cyrus A. Stowell and 27 others, of Streetsborough, Portage county, Ohio;
Of Jesse and Eliza Pierce and 161 others, of Stoughton, Massachusetts;
Of Ephraim and Dorothy Lovell and 256 men and women, of Marshfield, Plymouth county, Massachusetts;
Of J. M. McMahon and 24 others, of Philadelphia, in Pennsylvania;
Of Zephaniah Willis and 61 others, of Kingston, Plymouth county, Massachusetts;
Of Bradley Miner and 103 others, citizens of Dorchester, Norfolk county, Massachusetts;
Of William and Jane Robinson and 78 others, men and women, of Mount Pleasant, Jefferson county, Ohio;
Of Stephen Blanchard and 61 others of West Milbury, Massachusetts;
Of Ruth Jacobs and 54 others of West Milbury, Massachusetts;
Of William B. Copeland and 22 others, of Steubenville, Ohio;
Of James E. Wilson and 36 others, of Steubenville, Jefferson county, Ohio;
Of William F. Ripley and 147 others, of Plymouth, in the State of Massachusetts;
Of Jonathan Carpenter and 130 others, of New York city;
Of Phoebe Cotton and 58 others, of Plymouth, Massachusetts;
Of Daniel Wise and 145 others, of Quincy, Massachusetts;
Of Emerson and Lydia Paine and 62 others, men and women, of Hallowell, Plymouth county, Massachusetts;
Of Lucy W. Curtis and 105 others, of Calais, Washington county, Maine;
Of George Hoffman and 22 others, of Lancaster, Pennsylvania;
Of Wm. W. Wright and 99 men, and Rachel White and 76 women, of Knox county, Ohio.

Of Joseph Warren Cross and 18 others, citizens of Roxborough, Middlesex county, Massachusetts.

By Richard Fletcher: Of George Jackson and 47 others, citizens of Boston.

Ordered, That the said memorials do severally lie on the table.

Mr. Isaac Fletcher presented a memorial from a convention of the people of Montpelier and vicinity, in relation to the "neutrality law," and the burning of the Caroline.

Ordered, That the above memorial be referred to the Committee on Foreign Affairs.

Mr. Isaac Fletcher presented a remonstrance of sundry citizens of the county of Orleans, in the State of New York, against the neutrality law.

Ordered, That the same be referred to the Committee on Foreign Affairs.

Mr. Cushing presented a petition of Frederick P. Tracy and others, in behalf of the Oregon Provisional Emigration Society, praying the grant of special privileges as settlers in Oregon, which are set forth in the petition.

Ordered, That the above be referred to the Committee on Foreign Affairs.

Mr. Isaac Fletcher presented a memorial of Benjamin Smith and others, of Rockingham, in the county of Windham and State of Vermont, praying Congress to make an appropriation from the proceeds of the sales of the public lands, in aid of the objects of the American Colonization Society; which memorial was laid on the table.

Mr. John Quincy Adams presented a memorial of John Barney and others, citizens of the county of Franklin, in the State of Vermont, praying Congress to repeal the neutrality law, and to exact satisfaction from the British Government for the destruction of the steamboat Caroline.

Ordered, That the said memorial be referred to the Committee on Foreign Affairs.

Mr. Slade presented a petition of T. B. Bloss and 52 men and 23 women, of Livingston county, in the State of New York, praying Congress to inquire into and correct certain abuses in the General Post Office; which petition was laid on the table.

Mr. Sheffer presented four memorials of citizens of Pennsylvania and Virginia, praying Congress to establish a direct mail route between Pittsburgh, in Pennsylvania, and Morgantown, in Virginia.

Mr. Casey presented a joint resolution of the Legislature of the State of Illinois, asking for the establishment of a mail route from Carlyle to the mouth of the Ohio river.

Ordered, That the said memorials and resolution be referred to the Committee on the Post Office and Post Roads.

Mr. Casey presented a joint resolution of the Legislature of the State of Illinois, requesting the Senators and Representatives of that State in Congress to procure the passage of a law by Congress for the survey of the navigable waters of the Northern and Western lakes, together with the navigable rivers flowing into or out of the same; which resolution was referred to the Committee on Commerce.

Mr. Casey presented a joint resolution of the Legislature of the State of Illinois, instructing the Senators and requesting the Representatives to use their exertions to procure the passage of a law by Congress granting to wa-

ship 5 north, range 14 west, to the State of Illinois; and authorizing the State to survey and sell the same, the avails thereof to be applied exclusively to the improvement of Embarras river; which resolution was referred to the Committee on the Public Lands.

Petitions for the recognition of the republic of Hayti were presented as follows, to wit:

By Mr. John Quincy Adams: Of W. C. Gildersleeve and 31 others, of Wilkesbarre, Luzerne county, in the State of Pennsylvania;

Of Moses Wood and 83 men, and Aurilla W. Wood and 38 women, of Hancock, Hillsborough county, New Hampshire;

Of John G. McCullough and 101 others, of New Athens, Harrison county, Ohio;

Of Samuel Hall and 26 men, and Polly Hall and 26 women, of West Hawley, in the State of Massachusetts;

Of W. Frazer and 47 men, and Martha Frazer and 64 women, of Delaware county, in the State of New York;

Of Lucius Conkey and Matilda Wells and 250 others, of Massena, St. Lawrence county, New York;

Of Alexander Gregg and 54 others, of Watertown, in the State of Massachusetts;

Of Relief Prince and 51 others, of Oxford, in the State of Massachusetts;

Of Seth Daniels and 22 others, of Oxford, in the State of Massachusetts;

Of Andrew Woodbury and 26 others, of Sweden, in Oxford county, State of Maine;

Of Darwin Canfield and 40 others, of Pleasant Valley, Dutchess county, New York;

Of Reuben Lefever and 106 men, and Catherine Hale and 79 women, of Reading, Steuben county, Ohio;

Of Henry Shadd and 131 others, of Morven, in Marion county, State of Ohio.

Of Elisha Brown and 46 men, and Abby V. May and 28 women, of Barton, in Orleans county, State of Vermont;

Of William Smith and 106 others, and Abigail Smith and 90 others, of Spring Arbor, Jackson county, in the State of Michigan;

Of W. M. Sullivan and 15 others, and Lamira Eliza Johnson and 10 others, of Spring Arbor, Jackson county, State of Michigan;

Of H. Francher and 34 men, and Betsey Francher and 30 women, of Lenox and Sullivan, Madison county, in the State of Michigan;

Of W. Totten and 11 men, and Sally Hall and 14 women, of Lenox, Madison county, State of New York;

Of H. S. Currier and 48 men, and Rebecca V. Currier and 22 women, of Canaan, Grafton county, New Hampshire;

Of Jonathan Curtis and 34 men, and Anne G. Curtis and 27 women, of Pittsfield, Merrimac county, New Hampshire;

Of James Brown and 12 men, and Mary Brown and 2 women, of Jerseyville, Greene county, State of Ohio;

Of Isaac Clark and 59 others, of Dupage, in the counties of Cook and Wills, in the State of Illinois;

Of Ebenezer Dan and 20 men, and Phoebe Dan and 27 women, of Colchester, Delaware county, New York;

Of David Hall and 28 others, of Armstrong and Butler counties, Illinois;

Of Thomas Woodson and 19 others, of Milton and Lick townships, in the county of Jackson and State of Illinois.

By Mr. Slade: Of John R. Bolles, of New London, in the State of Connecticut, and 203 others, citizens of the States of Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, and Ohio;

Of Eli Nichols and 61 others, of Belmont county, in the State of Ohio;

Of Samuel Eastman and 51 others, of Landaff, in the State of New Hampshire;

Of James Batcheller and 75 others, men and women, of Marlborough, in the State of New Hampshire;

Of John G. West and 25 others, of Williamsburg, in the State of New York;

Of Amos P. St. John and 27 others, of Walton, in the State of New York;

Of Silas Smith and 35 men and 26 women, of Vershire, in the State of Vermont;

Of James Morris and 33 others, of Vershire, in the State of Vermont;

Of Nathan Jones and 48 others, of Northfield, in the State of Vermont;

Of Josiah Morse and 404 men and women, of Salisbury, in the State of Vermont.

By Mr. Giddings: Of inhabitants of Trumbull county, in the State of Ohio;

Of 252 citizens of Granville, in the State of Ohio;

Of inhabitants of Huntsburg, in the State of Ohio;

Of inhabitants of Coitsville, in the State of Ohio;

Of citizens of Trumbull county, in the State of Ohio.

By Mr. Grennell: Of Daniel White and 117 others, of Heath, in the State of Massachusetts.

By Mr. Noyes: Of William A. Crocker and 30 other inhabitants of Machias.

By E. Robinson: Of inhabitants of the town of Union, in the State of Maine.

By Mr. Fillmore: Of inhabitants of Boston, in the county of Erie and State of New York.

By Mr. Hastings: Of inhabitants of Lenox, in the State of Massachusetts.

By Mr. Herod: Of citizens of the county of Madison, in the State of Indiana.

By Mr. Evans: Of inhabitants of the town of Mercer, in the State of Maine;

Of John R. Taylor and others, of Mount Vernon, in the county of Kennebec and State of Maine.

By Mr. Hoffman: Of Israel Minor and 517 others, of the city of New York.

By Mr. Saltonstall: Of Gideon Foster and others, of Danvers, in the State of Massachusetts.

By Mr. John Quincy Adams: Of Joseph Pollard, of Hope, in the county of Hamilton, in the State of New York.

Ordered, That the said petitions be referred to the Committee on Foreign Affairs.

Memorials praying Congress to take measures to obtain the consent of the Powers of Christendom to the establishment of a congress of na-

tions, for the purpose of settling the principles of international law, and adjudging all cases of international difficulties, were presented, as follows, to wit:

By Mr. John Quincy Adams: Of Ezra Kendall and 110 others, of Centreville, Allegany county, New York;

Of David Searl and 141 others, of Rushford, Allegany county, New York;

Of Josiah Little and 49 others, of Minot, in the State of Maine;

Of Abner Whitehead, 2d, and 44 others, of Jersey, in the State of Ohio;

Of Samuel Allen and 19 others, of Philadelphia, in the State of Pennsylvania;

Of Thomas Reed and 56 others, of South Abington, Plymouth county, Massachusetts;

Of John Hall and 4 others, of Phoenix, Oswego county, New York;

Of D. J. Robinson and 28 others, of Sanbornton, New Hampshire;

Of J. Horton and 62 men, and C. W. Horton and 152 women, of West Brookfield, Massachusetts;

Of Anson P. Brooks and 6 men, and Abigail Curtis and 7 women, of Naples, Ontario county, New York;

Of William Hutchins and 53 others, of Brooklyn, in the State of Connecticut;

Of Eli Graves and 82 others, citizens of Williamsburg, in the State of Massachusetts.

By Mr. Cushing: Of Addison Parker and others, of Methuen, in the State of Massachusetts;

Of J. Blackman and others, of Andover, in the State of Massachusetts.

By Mr. Hastings: Two memorials of inhabitants of Wrentham, in the State of Massachusetts.

By Mr. Reed: Of William Rotch, jun., and others, of New Bedford, in the State of Massachusetts.

By Mr. Vanderveer: Of legal voters of the city of Brooklyn, in the State of New York.

By Mr. Grennell: Of inhabitants of Bernardston, in the State of Massachusetts;

Of inhabitants of Warwick, in the State of Massachusetts;

Of inhabitants of Conway, in the State of Massachusetts.

By Mr. Ingham: Of Noah Porter and 96 others, of Farmington, in the State of Connecticut.

By Mr. E. Robinson: Of Josiah Sandford and 32 others of Topsham, in the State of Maine.

By Mr. Richard Fletcher: Of the Massachusetts Peace Society.

By Mr. McKennan: Of inhabitants of Fayette and Washington counties, in the State of Pennsylvania;

Of inhabitants of Washington county, in the State of Pennsylvania.

By Mr. Lincoln: Of inhabitants of Hubbardston, in the State of Massachusetts.

Ordered, That the said memorials do lie on the table.

Petitions being read, the House resolved, That the House do reject all applications for the annexation of Texas to the United States were presented as follows, to wit:

By Mr. John Quincy Adams: Of Henry Gilpin and 21 men, and Esther Gilpin and 120 women, of Clinton county, in the State of Ohio;

Of Aaron Sewell and 30 men, and Rebecca Sewell and 7 women, of Clarksville, Clinton county, in the State of Ohio ;

Of Jonathan Hodgson and 9 others, of Clarksville, Clinton county, in the State of Ohio ;

Of David Green and 80 others, of Clarksville, Clinton county, in the State of Ohio ;

Of Isaac Whitehead and 31 others, citizens of Jersey, Licking county, Ohio ;

Of Nathaniel Richardson and 74 others, and Martha P. Richardson and 60 others, of Plymouth, Litchfield county, Connecticut ;

Of Hudson S. Ellis and 20 men, and Caroline S. Ellis and 13 women of Crosswicks, in the State of New Jersey ;

Of Peter Ellis and 18 others, and Caroline S. Ellis and 12 others, of Crosswicks, in the State of New Jersey ;

Of Harriet Folsom and 109 others, of Boston, in the State of Massachusetts ;

Of B. Hogeboom and 30 others, and Jerusha Button and 19 others, of Machias, Cattaraugus county, New York ;

Of Esther W. Benham and 10 others, of Buckingham, Bucks county, in the State of Pennsylvania ;

Of S. P. Sanford and 206 others, of Dorchester, Norfolk county, in the State of Massachusetts ;

Of David Bixley and 45 men, and Desire Hatch and 44 women, of Knox county, in the State of Ohio ;

Of Mrs. E. W. Fish and 24 others, of Winnissimmet village, in the State of Massachusetts ;

Of Nelson Simons and 12 others, citizens of Castile, Geneva county, New York ;

Of Julia Thurston and 15 others, women of Ohio ;

Of Moses Scott and others, of Knox and Licking counties, in the State of Ohio.

By Mr. E. Davies : Of 27 men and 12 women, of Chester and Lancaster counties, in the State of Pennsylvania ;

Of Joshua Fulton and 39 men, and Esther Fulton and 24 women, of Chester and Lancaster counties, in the State of Pennsylvania ;

Of Lucy Gilbert and others, of Ware village, in the State of Massachusetts ;

Of Napoleon B. Buell and others, of Batavia, in the State of New York :

Of Joshua Maynard and others, of Seneca county, in the State of Ohio.

Ordered, That the said memorials do lie on the table.

The rules in relation to the order of business being suspended for the purpose of considering the same,

The engrossed bill (No. 982) entitled "An act to amend an act to authorize the issuing of Treasury notes to meet the current expenses of Government for the year 1838," was read the third time.

And the question was stated, that it do pass;

And, after debate,

The previous question was moved by Mr. Stanly ; when,

A call of the House was ordered, on the motion of Mr. Graves ; and the roll being called, the following-named members, who have attended at the present session, and are not absent under orders of the House, failed to answer to their names, viz :

Messrs. John W. Allen, Ratliff Boon, William B. Campbell, William B. Carter, John Chambers, John C. Clark, William K. Clowney, Charles D. Coffin, Walter Coles, Edward Darlington, Horace Everett, James Graham, Abraham P. Grant, Robert H. Hammond, Alexander Harper, William S. Hastings, Hopkins Holsey, Orrin Holt, Benjamin C. Howard, William H. Hunter, John W. Jones, Francis Mallory, Samson Mason, Joshua L. Martin, William L. May, Charles McClure, Thomas M. T. McKennan, Mathias Morris, Samuel W. Morris, William H. Noble, Luther C. Peck, David Petrikin, Lancelot Phelps, John Pope, John H. Prentiss, Edward Rumsey, John Sergeant, Augustine H. Shepperd, Charles Shepard, Adam W. Snyder, William W. Southgate, James B. Spencer, William Stone, William Taylor, Francis Thomas, Obadiah Titus, Joseph Weeks, Albert S. White, John White, John T. H. Worthington.

Further proceedings in the call were then dispensed with ;

And the previous question, moved by Mr. Stanly, was demanded by a majority of the members present.

The said previous question was then put, viz : Shall the main question be now put ?

And passed in the affirmative.

The main question was then put, viz : Shall the bill pass ?

And passed in the affirmative, { Yeas, 101,
 { Nays, 88.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
C. C. Cambreleng
Zadok Casey
John Chaney
Jesse F. Cleveland
Henry W. Connor
Isaac E. Crary
Samuel Cushman
Thomas Davee
John I. De Graff
George C. Dromgoole
Alexander Duncan
John Edwards
George Evans
James Farrington
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
James Garland

Mr. Thomas Glascock
Seaton Grantland
Hiram Gray
George Grennell, jr.
Elisha Haley
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Levi Lincoln
Henry Logan
Arphaxed Loomis
Francis S. Lyon
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
William Montgomery
Ely Moore
William S. Morgan
John L. Murray
Joseph C. Noyes

Mr. John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
James A. Pearce
Isaac S. Pennybacker
Arnold Plumer
William W. Potter
Zadock Pratt
John H. Prentiss
John Reed
Luther Reily
John P. Richardson
Joseph Ridgway
Francis E. Rives
Edward Robinson
Leverett Saltonstall
Daniel Sheffer
Mathias Sheplor
Archibald Stuart
Henry Swearingen
Obadiah Titus
Isaac Toucey
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
Taylor Webster
Thomas T. Whittlesey
Jared W. Williams
Joseph L. Williams
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. James Alexander, jr.
Heman Allen
J. Banker Aycrigg
John Bell
Richard Biddle
William Key Bond
William B. Calhoun
John Calhoon
William B. Carter
Richard Cheatham
Timothy Childs
William K. Clowney
Walter Coles
Thomas Corwin
George W. Crabb
Robert Craig
Robert B. Cranston
John W. Crockett
Caleb Cushing
Edward Davies
Edmund Deberry
John Dennis
George H. Dunn
Franklin H. Elmore
John Ewing
Richard Fletcher
Millard Fillmore
Rice Garland
Joshua R. Giddings
Patrick G. Goode

Mr. James Graham
William Graham
William J. Graves
John K. Griffin
William Halsted
Richard Hawes
Thomas Henry
Ogden Hoffman
Robert M. T. Hunter
Daniel Jenifer
Henry Johnson
William Cost Johnson
John P. Kennedy
Dixon H. Lewis
Richard P. Marvin
Samson Mason
Abram P. Maury
William L. May
John P. B. Maxwell
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Charles Ogle
Luther C. Peck
Francis W. Pickens
David Potts, jr.

Mr. Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph
Abraham Rencher
R. Barnwell Rhett
John Robertson
David Russell
Samuel T. Sawyer
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
William W. Southgate
Edward Stanly
William Stone
Charles C. Stratton
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillingham
George W. Toland
Joseph R. Underwood
Albert S. White
John White
Lewis Williams
Sherrod Williams
Christopher H. Williams
Thomas J. Word
Thomas Jones York

The title of said bill was amended to read "An act to revive and extend an act to authorize the issuing of Treasury notes to meet the current expenses of Government for the year 1838."

Ordered, That the Clerk request the concurrence of the Senate in the said bill.

And, at four o'clock, the House adjourned until to-morrow, eleven o'clock in the forenoon.

TUESDAY, FEBRUARY 19, 1839.

The House resumed the consideration of the resolutions reported on Thursday, the 7th of February instant, by Mr. William Cost Johnson, of Maryland, from the Select Committee appointed on the 29th of December, 1838, on a report from the Secretary of the Treasury, containing information respecting the donations of public land, the quantity surveyed, the plans for dividing the same or the proceeds thereof, with other information connected with the public land.

The question recurred on the motion made by Mr. Robertson, of Virginia, on the 7th instant, to amend the said resolutions;

And, after debate, the hour elapsed, and the debate was suspended.

A motion was made by Mr. Mallory, that the rules in relation to the order of business be suspended, and that the House do proceed to the consideration of the resolution submitted by him yesterday, calling on the Secretary of the Navy for a report of a plan for executing the ministerial duties of the Navy Department;

And, on the question that the House do agree to this motion, It passed in the affirmative.

The said resolution was then read ; and, after debate,
The previous question was moved by Mr. Mallory: when
A motion was made by Mr. Sherrod Williams, that the resolution do
lie on the table ;

And the question being put,

It passed in the negative.

The previous question was then demanded by a majority of the mem-
bers present ;

And the said previous question was put, viz : Shall the main question
be now put ?

And passed in the affirmative, { Yeas, 108,
 { Nays, 73.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John T. Andrews
Charles G. Atherton
J. Banker Ayerigg
William Beatty
Cyrus Beers
Andrew Beirne
John Bell
Bennet Bicknell
Samuel Birdsall
James W. Bouldin
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chaney
Reuben Chapman
Richard Cheatham
Jesse F. Cleveland
William K. Clowney
Walter Coles
Henry W. Connor
Isaac E. Cray
Samuel Cushman
Thomas Davee
John I. De Graff
George C. Dromgoole
George H. Dunn
John Edwards
James Farrington
Isaac Fletcher
Albert Gallup
James Garland

Mr. Rice Garland
Thomas Glascock
Patrick G. Goode
Abraham P. Grant
John K. Griffin
Eliaha Haley
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
William Herod
Orrin Holt
Benjamin C. Howard
Thomas B. Jackson
Jabez Jackson
Joseph Johnson
Nathaniel Jones
George M. Keim
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
Abram P. Maury
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Richard H. Menefee
John Miller
William Montgomery
Ely Moore
William S. Morgan

Mr. Samuel W. Morris
Calvary Morris
John L. Murray
William H. Noble
John Palmer
Amasa J. Parker
Virgil D. Parris
Lemuel Paynter
Isaac S. Pennybacker
David Petrikin
Francis W. Pickens
William W. Potter
Zadock Pratt
John H. Prentiss
Luther Reily
R. Barnwell Rhett
John P. Richardson
Francis E. Rives
Samuel T. Sawyer
Daniel Sheffer
Matthias Sheplor
James B. Spencer
Henry Swearingen
William Taylor
Obadiah Titus
Hopkins L. Turney
Joseph R. Underwood
Henry Vail
Abraham Vanderveer
Taylor Webster
Lewis Williams
Jared W. Williams
Joseph L. Williams
Thomas J. Word
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
Richard Biddle
William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun

Mr. John Calhoun
John Chambers
Thomas Corwin
Robert B. Cranston
John W. Crockett
Caleb Cushing
Edward Darlington
Edward Davies
Edmund Deberry

Mr. John Dennis
George Evans
Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore
Joshua R. Giddings
William Graham
Seaton Grantland

Mr. Richard Hawes
 Thomas Henry
 Ogden Hoffman
 Samuel Ingham
 Henry Johnson
 John P. Kennedy
 Levi Lincoln
 Richard P. Marvin
 Samson Mason
 John P. B. Maxwell
 Thomas M. T. McKennan
 Charles F. Mercer
 John J. Milligan
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle

Mr. William Parmenter
 James A. Pearce
 Luther C. Peck
 John Pope
 David Potts, jr.
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 Edward Robinson
 Edward Rumsey
 David Russell
 Leverett Saltonstall

Mr. Ebenezer J. Shields
 Mark H. Sibley
 William Slade
 Edward Stanly
 Archibald Stuart
 William Stone
 Charles C. Stratton
 John Taliaferro
 Joseph L. Tillinghast
 George W. Toland
 Albert S. White
 John White
 Sherrod Williams
 Christopher H. Williams
 Thomas Jones York.

The main question was then put: Will the House agree to the said resolution?

And passed in the affirmative.

And so it was

Resolved, That, for the more effectual execution of the ministerial duties of the Navy Department, the Secretary of the Navy be directed to report to this House, at the commencement of the next session of Congress, a plan for the reorganization of this branch of the public service: adopting, as the basis of his plan, the division of those duties now performed by the Commissioners, and their assignment to separate bureaux.

A motion was made by Mr. Everett, that the rules in relation to the order of business be suspended, to enable him to submit the following resolution, viz:

Resolved, That the Secretary of War be directed to lay before this House a statement of the proceedings of his Department, in the execution of the first and second provisions of the 4th article of the treaty of November 1, 1837, with the Winnebago Indians, and copies of all correspondence relating thereto; and, also, a statement of any information received relating to any speculation or alleged misconduct of any person or persons employed in the execution of the said provisions, and the copies of all correspondence relating thereto; and the report made on that subject by the Commissioner of Indian Affairs, and the decision of the Secretary of War thereon.

And on the question, Shall the rules be suspended for the purpose aforesaid?

It passed in the affirmative, (two-thirds voting therefor,) { Yeas, 127.
 { Nays, 44

The yeas and nays being desired by one-fifth of the members present. Those who voted in the affirmative are—

Mr. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 Hugh J. Anderson
 J. Banker Aycrigg
 William Beatty
 Andrew Beirne
 John Bell
 Bennet Bicknell
 Richard Biddle
 Samuel Birdsell

Mr. William Key Bond
 Nathaniel B. Borden
 George N. Briggs
 John C. Brodhead
 Andrew Buchanan
 William B. Calboun
 John Calhoon
 C. C. Cambreleng
 John Campbell
 William B. Carter
 Zadok Casey
 John Chambers

Mr. Richard Cheatham
 Timothy Childs
 Charles D. Coffin
 Thomas Corwin
 Isaac E. Cray
 Robert B. Cranston
 Caleb Cushing
 Edward Darlington
 Thomas Davis
 Edward Davies
 Edmund Deberry
 John I. De Graff

Mr. John Dennis	Mr. John Klingensmith, jr.	Mr. Harvey Putnam
George H. Dunn	Hugh S. Legare	James Rariden
John Edwards	Levi Lincoln	Joseph F. Randolph
George Evans	Henry Logan	Luther Reily
Horace Everett	Arphaxed Loomis	Abraham Rencher
John Ewing	Richard P. Marvin	Joseph Ridgway
Richard Fletcher	James M. Mason	Edward Robinson
Isaac Fletcher	Samson Mason	Edward Rumsey
Millard Fillmore	John P. B. Maxwell	David Russell
Jacob Fry, jr.	Robert McClellan	Leverett Saltonstall
Rice Garland	Charles McClure	Samuel T. Sawyer
Patrick G. Goode	Thos. M. T. McKennan	Daniel Sheffer
James Graham	Charles F. Mercer	William Slade
William Graham	John J. Milligan	William W. Southgate
Seaton Grantland	William Montgomery	Edward Stanly
George Grennell, jr.	Calvary Morris	William Stone
Elisha Haley	John L. Murray	Charles C. Stratton
William S. Hastings	Charles Naylor	John Taliaferro
Richard Hawes	Joseph C. Noyes	Joseph L. Tillinghast
Thomas Henry	Charles Ogle	Obadiah Titus
William Herod	Amasa J. Parker	George W. Toland
Ogden Hoffman	Virgil D. Parris	Joseph R. Underwood
Orrin Holt	Lemuel Paynter	Henry Vail
Benjamin C. Howard	James A. Pearce	Abraham Vanderveer
Samuel Ingham	Luther C. Peck	John White
Thomas B. Jackson	David Petrikin	Lewis Williams
Henry Johnson	John Pope	Sherrod Williams
Nathaniel Jones	David Potts, jr.	Jared W. Williams
George M. Keim	Zadock Pratt	Thomas J. Word
Gouverneur Kemble	John H. Prentiss	Thomas Jones Yorke
John P. Kennedy		

Those who voted in the negative are—

Mr. Charles G. Atherton	Mr. John K. Griffin	Mr. William H. Noble
Linn Banks	Robert H. Hammond	Isaac S. Pennybacker
Cyrus Beers	Micajah T. Hawkins	Francis E. Rives
Isaac H. Bronson	Hopkins Holsey	Ebenezer J. Shields
Jesse A. Bynum	Jabez Jackson	Matthias Shepler
John Chaney	Joseph Johnson	Mark H. Sibley
Reuben Chapman	Dixon H. Lewis	James B. Spencer
Jesse F. Cleveland	Francis S. Lyon	Archibald Stuart
Henry W. Connor	Joshua L. Martin	Henry Swearingen
George W. Crabb	James J. McKay	Hopkins L. Turney
Robert Craig	Abraham McClellan	Taylor Webster
Samuel Cushman	John Miller	Christopher H. Williams
Franklin H. Elmore	Ely Moore	John T. H. Worthington
James Farrington	William S. Morgan	Archibald Yell.
Abraham P. Grant	Samuel W. Morris	

The resolution was then moved by Mr. Everett, and was read; and the rule which requires the same to lie on the table one day for consideration being dispensed with, it was considered and agreed to.

On motion of Mr. Chambers,

Ordered, That the Committee of Claims have leave to sit during the sitting of the House, for the remainder of the present session of Congress.

The Speaker laid before the House a letter from the Secretary of the treasury, transmitting a map of the survey of the harbor of New Haven, Connecticut, called for by the House on the 14th of January ultimo; which letter was read and laid on the table, and the map was ordered to be lithographed.

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, ac-

ording to order, had the state of the Union generally under consideration, particularly the bill (No. 891) making appropriations for the civil and diplomatic expenses of Government for the year 1839, and had come to no resolution thereon.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed bills of the following titles, viz:

No. 160. An act to provide for the armed occupation and settlement of that part of Florida which is now overrun and infested by marauding bands of hostile Indians;

No. 256. An act in addition to "An act to promote the progress of useful arts;"

in which bills I am directed to ask the concurrence of this House.

And then, at half-past four o'clock the House adjourned until to-morrow, at eleven o'clock in the forenoon.

WEDNESDAY, FEBRUARY 20, 1839.

The House resumed the consideration of the resolutions reported on Thursday, the 7th of February instant, by Mr. William Cost Johnson, of Maryland, from the Select Committee appointed on the 29th of December, 1838, on a report from the Secretary of the Treasury, containing information respecting the donations of public land, the quantity surveyed, the plans for dividing the same or the proceeds thereof, with other information connected with the public lands.

The question recurred on the motion made by Mr. Robertson, of Virginia, on the 7th instant, to amend the said resolutions; and, after debate, the hour elapsed, and the debate was suspended.

The Speaker laid before the House a letter from the Commissioner of the General Land Office, transmitting a communication from the Governor of the State of Illinois, with a copy of resolutions adopted by the Legislature of that State, setting forth the importance of establishing a surveyor general's office within that State; which letter and accompanying documents were committed to the Committee of the Whole House to which is committed the bill (No. 107) for the establishment of a surveyor general's office in the State of Illinois.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee did on this day present to the President of the United States enrolled bills of the following titles, viz:

No. 2. An act to prohibit the giving or accepting, within the District of Columbia, a challenge to fight a duel, and for the punishment thereof.

No. 78. An act to amend an act entitled "An act to establish a criminal court in the District of Columbia."

Mr. Downing, delegate from the Territory of Florida, presented a memorial of the people of Florida, in convention assembled at St. Joseph's, on the 11th of January, 1839, signed by Robert Raymond Reid and others, a committee of said convention, praying that Florida may be recognised as a State, and admitted into the Union on an equal footing with the original States. The said memorial is accompanied by a copy of the territorial law authorizing the holding of a convention to form a constitution and State government; also, by the constitution or form of government adopted by said convention for the people of Florida; and by a

copy of the census of the inhabitants, so far as returns thereof were made to the convention.

Ordered, That the said memorial do lie on the table, and that five thousand copies thereof, with the accompanying documents, be printed.

Mr. Lyon, from the Committee for the District of Columbia, made a report on the case of Owen McCue ; which report was ordered to lie on the table.

On motion of Mr. Connor,

Ordered, That leave be given to withdraw the petition of Jesse H. Willis, and all other papers relating to the claim of James Minnie, or his representatives.

The House again resolved itself into the Committee of the Whole House on the state of the Union ; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 891) making appropriations for the civil and diplomatic expenses of the Government for the year 1839 ; and had come to no resolution thereon.

A message, in writing, was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary ; which was read, and is as follows :

To the House of Representatives :

I transmit a report from the War Department in relation to the investigations had by the commissioners under the resolution of 1st July, 1836, on the sales of reservations of deceased Creek Indians.

M. VAN BUREN.

WASHINGTON, *February* 19, 1839.

Ordered, That said message do lie on the table.

Engrossed bills of the following titles, viz :

No. 1103. An act making a donation of land to the Territory of Iowa, for the purpose of erecting public buildings thereon ;

No. 1135. An act granting to the judges of the supreme court of Iowa the same compensation as is by law given to the judges of the supreme court of Wisconsin ;

No. 1140. An act making provision for a court-house in Duval county, in the Territory of Florida ;
were severally read the third time, and passed.

Ordered, That the Clerk request the concurrence of the Senate in the said bills.

The House proceeded to the consideration of the motion that the House do reconsider the vote of the 12th instant, by which the bill (No. 1029) making appropriation for purchasing a library for the use of the Legislative Council and court of appeals of the Territory of Florida was rejected ; when

A motion was made by Mr. Lewis Williams that the motion to reconsider do lie on the table.

And, at half-past four o'clock, the House adjourned until to-morrow at eleven o'clock in the forenoon.

THURSDAY, FEBRUARY 21, 1839.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker: The Senate have passed bills of the following titles, viz:

No. 258 An act further to prescribe the duties of collectors of the customs, and other officers and agents in the employment of the United States, prohibiting the admission of certain offsets in suits against the debtors of the Government, and to provide for the punishment of public defaulters ;

No. 267. An act for the relief of Mira M. Alexander ; in which bills I am directed to ask the concurrence of this House. And then he withdrew.

Mr. Prentiss, of Mississippi, moved the following resolution :

Resolved, That this House proceed forthwith to inquire—

1st. Whether Alexander Duncan, a member of this House from the State of Ohio, be the author of a certain publication or publications under his name, in relation to the proceedings of this House and certain members thereof, published in the Globe newspaper of the 19th instant ;

2d. Whether, by said publication or publications, the said Alexander Duncan has not been guilty of a violation of the privileges of this House ; of an offence against its peace, dignity, and good order ; and of such grossly indecent, ungentlemanly, disgraceful, and dishonorable misconduct, as renders him unworthy of a seat in this House, and justly liable to expulsion from the same.

On motion of Mr. Prentiss, of Mississippi,

A call of the House was ordered ; and the roll being twice called, the following-named members, who were not absent on leave of the House failed to answer to their names, viz:

Messrs. Hugh J. Anderson, Andrew Beirne, Richard Biddle, Ratliff Boon, Nathaniel B. Borden, John C. Brodhead, Isaac H. Bronson, Jesse A. Bynum, John Campbell, William B. Carter, Jesse F. Cleveland, Charles D. Coffin, John W. Crockett, Edward Darlington, Thomas Davee, John L. De Graff, John Dennis, Alexander Duncan, Isaac Fletcher, Jacob Fry, jr., Albert Gallup, Thomas Glascock, Patrick G. Goode, George Grennell, jr., John K. Griffin, Hiland Hall, Thomas L. Hamer, Albert G. Harrison. William S. Hastings, Micajah T. Hawkins, Charles E. Haynes, Ogden Hoffman, Hopkins Holsey, Orrin Holt, Benjamin C. Howard, William H. Hunter, Robert M. T. Hunter, Henry Johnson, William Cost Johnson. John W. Jones, George M. Keim, Gouverneur Kemble, Hugh S. Legare, Arphaxed Loomis, Samson Mason, Charles McClure, John J. Milligan. Ely Moore, William S. Morgan, Samuel W. Morris, John L. Murray. William H. Noble, Charles Ogle, John Palmer, Virgil D. Parris, James A. Pearce, Luther C. Peck, John Pope, William W. Potter, John Reed. Abraham Rencher, R. Barnwell Rhett, John P. Richardson, Edward Rumsey, Samuel T. Sawyer, John Sergeant, Augustine H. Shepperd. Charles Shepard, Adam W. Snyder, William W. Southgate, James B. Spencer, Archibald Stuart, William Taylor, Francis Thomas, Taylor Webster, Joseph Weeks, Albert S. White, Lewis Williams, Thomas Jones Yorke.

The doors were then closed, and excuses were offered and received for the non-attendance of the following-named members, to wit :

Messrs. Jesse F. Cleveland, Charles D. Coffin, Isaac Fletcher, Thomas

L. Hamer, Benjamin C. Howard, William Cost Johnson, John W. Jones, John L. Murray, John Palmer, James A. Pearce, John Pope, William W. Potter, R. Barnwell Rhett, John P. Richardson, Edward Rumsey, John Sergeant, Augustine H. Shepperd, Charles Shepard, Adam W. Snyder, Joseph Weeks, Thomas Jones Yorke.

The Committee of Claims has leave to sit during the sitting of the House.

On motion of Mr. Halsted, further proceedings in the call were dispensed with, and the doors were opened;

And, after debate on the said resolution,

A motion was made by Mr. Gray that it do lie on the table;

And the question being put,

It passed in the negative, { Yeas, 83,
 { Nays, 91.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
Heenan Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Bennet Bicknell
Samuel Birdsell
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
John Campbell
Zadok Casey
John Chaney
Reuben Chapman
Walter Coles
Henry W. Connor
George W. Crabb
Isaac E. Cray
Samuel Cushman
John I. De Graff
George C. Dromgoole
Franklin H. Elmore
James Farrington
Jacob Fry, jr.

Mr. Albert Gallup
Thomas Glascock
Abraham P. Grant
Hiram Gray
John K. Griffin
Robert H. Hammond
Thomas L. Hamer
Albert G. Harrison
Micajah T. Hawkins
Hopkins Holsey
Orrin Holt
Benjamin C. Howard
William H. Hunter
Robert M. T. Hunter
Nathaniel Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Dixon H. Lewis
Arphaxed Loomis
Francis S. Lyon
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
Samuel W. Morris
John L. Murray

Mr. George W. Owens
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
Isaac S. Pennybacker
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
William W. Potter
John H. Prentiss
Francis E. Rives
John Robertson
Samuel T. Sawyer
James B. Spencer
Henry Swearingen
Francis Thomas
Obadiah Titus
Hopkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagener
Taylor Webster
Jared W. Williams
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. James Alexander, jr.
John W. Allen
J. Banker Aycrigg
John Bell
Richard Biddle
William Key Bond
George N. Briggs
William B. Calhoun
John Calhoon
William B. Campbell
William B. Carter
John Chambers
Richard Cheatham
John C. Clark
Charles D. Coffin
Thomas Corwin

Mr. Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
Edward Davies
Edmund Deberry
George H. Dunn
John Edwards
George Evans
Horace Everett
Richard Fletcher
Millard Fillmore
Rice Garland
Joshua R. Giddings

Mr. Patrick G. Goode
James Graham
William Graham
William Halsted
James Harlan
Alexander Harper
Richard Hawes
Ogden Hoffman
Daniel Jenifer
Henry Johnson
William Cost Johnson
John P. Kennedy
Hugh S. Legare
Levi Lincoln
Francis Mallory
Richard P. Marvin

Mr. Samson Mason
 Abram P. Maury
 John P. B. Maxwell
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 Calvary Morris
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle
 James A. Pearce
 John Pope
 David Potts, jr.

Mr. Sergeant S. Prentiss
 James Rariden
 Joseph F. Randolph
 Joseph Ridgway
 Edward Robinson
 Edward Rumsey
 David Russell
 Leverett Saltonstall
 John Sergeant
 Ebenezer J. Shields
 Mark H. Sibley
 Archibald Stuart
 Charles C. Stratton
 John Taliaferro

Mr. Waddy Thompson, jr.
 Joseph L. Tillinghast
 George W. Toland
 Joseph R. Underwood
 Albert S. White
 John White
 Thomas T. Whittlesey
 Lewis Williams
 Sherrod Williams
 Joseph L. Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 Thomas Jones Yorks

And, after further debate,

A motion was made by Mr. Parris that the said resolution do lie on the table.

And the question being put,

It passed in the negative,	{ Yeas,	. . . . .	92,
	{ Nays,	. . . . .	100.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
 Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 Linn Banks
 William Beatty
 Andrew Beirne
 Bennet Bicknell
 Samuel Birdsall
 James W. Bouldin
 Isaac H. Bronson
 Andrew Buchanan
 C. C. Cambreleng
 John Campbell
 Zadok Casey
 John Chaney
 Reuben Chapman
 Walter Coles
 Henry W. Connor
 Isaac E. Crary
 Samuel Cushman
 Thomas Davee
 John I. De Graff
 George C. Dromgoole
 Isaac Fletcher
 Jacob Fry, jr.
 Albert Gallup
 Thomas Glascock
 Abraham P. Grant
 Hiram Gray
 John K. Griffin

Mr. Elisha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Micajah T. Hawkins
 Hopkins Holsey
 Orrin Holt
 Benjamin C. Howard
 William H. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Daniel P. Leadbetter
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 William Montgomery
 Ely Moore
 Samuel W. Morris
 John L. Murray
 William H. Noble
 George W. Owens
 John Palmer

Mr. Amasa J. Parker
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 Isaac S. Pennybacker
 David Petrikin
 Lancelot Phelps
 Francis W. Pickens
 Arnold Plumer
 John H. Prentiss
 Luther Reily
 John P. Richardson
 Francis E. Rives
 John Robertson
 Samuel T. Sawyer
 Daniel Sheffer
 Matthias Shepler
 James B. Spencer
 Henry Swearingen
 William Taylor
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 Hopkins L. Turney
 Henry Vail
 David D. Wagener
 Taylor Webster
 Joseph Weeks
 Jared W. Williams
 John T. Worthington
 Archibald Yell

Those who voted in the negative are—

Mr. James Alexander, jr.
 Heman Allen
 John W. Allen
 J. Banker Aycrigg
 John Bell
 Richard Biddle
 William Key Bond

Mr. Nathaniel B. Borden
 George N. Briggs
 William B. Calhoun
 John Calhoun
 William B. Campbell
 William B. Carter
 John Chambers

Mr. Richard Cheatham
 Timothy Childs
 John C. Clark
 Thomas Corwin
 Robert B. Cranston
 John W. Crockett
 Edward Curtis

Mr. Caleb Cushing	Mr. Jabez Jackson	Mr. Harvey Putnam
Edward Darlington	Daniel Jenifer	Joseph F. Randolph
William C. Dawson	Henry Johnson	Abraham Rencher
Edward Davies	William Cost Johnson	Joseph Ridgway
Edmund Deberry	John P. Kennedy	Edward Robinson
John Dennis	Hugh S. Legare	Edward Rumsey
George H. Dunn	Levi Lincoln	David Russell
John Edwards	Francis Mallory	Leverett Saltonstall
Franklin H. Elmore	Richard P. Marvin	John Sergeant
George Evans	Samson Mason	Mark H. Sibley
Horace Everett	Abram P. Maury	William Slade
John Ewing	William L. May	Archibald Stuart
Richard Fletcher	John P. B. Maxwell	William Stone
Millard Fillmore	Thomas M. T. McKennan	Charles C. Stratton
Rice Garland	Richard H. Menefee	John Taliaferro
Joshua R. Giddings	Charles F. Mercer	Waddy Thompson, jr.
Patrick G. Goode	John J. Milligan	Joseph L. Tillinghast
James Graham	Charles F. Mitchell	George W. Toland
William Graham	Calvary Morris	Albert S. White
George Grennell, jr.	Charles Naylor	John White
William Halsted	Joseph C. Noyes	Lewis Williams
James Harlan	Charles Ogle	Sherrod Williams
Alexander Harper	Luther C. Peck	Christopher H. Williams
Thomas Henry	John Pope	Henry A. Wise
William Herod	David Potts, jr.	Thomas J. Word
Ogden Hoffman	Sergeant S. Prentiss	Thomas Jones Yorke.
George W. Hopkins		

A motion was made by Mr. Thompson to amend the said resolution, by striking out all thereof after the word "*Resolved*," in the first member of the resolution, and inserting as follows:

"That Alexander Duncan, a member of this House, having avowed himself the author of an article published in the *Globe* of the 19th instant, grossly libellous of honorable members of this body, the said Alexander Duncan be reprimanded by the Speaker in the presence of the House."

And, after further debate,

The House, at half-past six o'clock, adjourned until to-morrow, eleven o'clock in the forenoon.

FRIDAY, FEBRUARY 22, 1839.

The House resumed the consideration of the resolution submitted by Mr. Prentiss on yesterday, proposing an inquiry into the authorship of a certain publication, under the name of Alexander Duncan, a member of the House from the State of Ohio, contained in the *Globe* newspaper of the 19th instant, and whether the said Alexander Duncan has not been guilty of a violation of the privileges of this House, of an offence against its peace, dignity, and good order, and of such grossly indecent, ungentlemanly, disgraceful, and dishonorable misconduct as renders him unworthy of his seat in this House, and justly liable to expulsion from it.

The question recurred on the amendment proposed by Mr. Thompson yesterday to the said resolution; when

Mr. Thompson withdrew the same, and submitted in lieu thereof the following, to come in after the words "*Resolved*, That," in the resolution proposed by Mr. Prentiss:

Whereas Alexander Duncan, a member of this House from the State of Ohio, has, in his place, acknowledged himself to have written and caused to be published in the *Globe* of the 19th instant the following writing, to wit:

FOR THE GLOBE.

On the 16th and 17th January last, I made some remarks in the House of Representatives on the resolution to appoint a committee to inquire into the defalcations of Samuel Swartwout, which remarks were soon after published in the *Globe*, and have since been published in pamphlet form. Mr. Stanly, of North Carolina, followed me in reply. At the commencement of his remarks, he insinuated that I was an abolitionist. I promptly pronounced the insinuation a base falsehood, and a foul detraction, whether it dwelt upon the lips of the unprincipled calumniator, or floated on the breeze in the corrupt, poisonous, and slanderous federal sheets of the day. My intention at the time was to insult the member. So he understood me. So all who heard me understood me. My meaning was, that the member was a base liar and a foul calumniator; and the only reason that he was indirectly thus denounced was, because the rules of the House prohibited me from doing it directly without laying myself liable to its censure. All this, too, was well understood at the time; and for this intended and well-understood insult I held myself in readiness to give the member any satisfaction which he might have the moral courage to seek. But no disposition to seek for redress was manifested within the time I had a right to expect it, or within the time it might be expected from a man who had any regard for his honor or reputation. So I was disposed to let the member go for what I believe him to be—a mean poltroon and a base liar, and which I believe he may at any time and in any place be pronounced with impunity.

Some ten or twelve days after making the remarks to which I allude, I saw a communication in the *National Intelligencer*, occupying the space of four or five columns of that paper, purporting to be “the reply of Mr. Stanly, of North Carolina, to Dr. Duncan.” I was surprised to see a reply of such length. I was not present all the time the member was speaking. I was present, as I have stated, when he commenced. I was present when he finished; and his last remark was, “I have detained the House not more than fifteen minutes.” I thought he was correct as to the time he occupied the floor—(a short time in which to make a speech occupying four and a half columns of one of the largest newspaper sheets.)

Leave is sometimes asked of the House to write out a speech which there may not be time to make, and the privilege is generally granted. This is an accommodation to the House, and to the country, whose business is permitted to progress. But, in all cases of this kind, leave of the House ought to be obtained, and a notice of the fact ought to accompany the written speech. It is mean and basely dishonorable, and it is a falsehood and a fraud practised upon the country, to promulgate a speech purporting to have been delivered on the floor of Congress which was there spoken, on any other conditions than by the leave and with the notice which I have named.

I say that the speech published in the *National Intelligencer* of the 4th instant, purporting to be “the remarks of Mr. Stanly in reply to Dr. Duncan,” never was delivered in the House of Representatives, nor any other place, except through the polluted columns of the corrupt, back-bought, servile, and degraded sheet through which it makes its appearance; therefore, its very caption or title contains a base falsehood, and a mean attempt at fraud and imposition upon the public. Its whole body is a tissue of misrepresentations, unmanly insinuations, and low vulgarity, worthy of the man that can be charged with base falsehood and foul detraction with impunity. In order to know that I could not be mistaken as to the time the member occupied in his attempt to reply to me, and to ascertain some other facts, of which I will soon speak, I addressed the following notes to the gentlemen whose names are prefixed; to which I received the subjoined answers:

HOUSE OF REPRESENTATIVES, February 2, 1839.

SIR: If you were present on the 17th January, 1839, when Mr. Stanly, of North Carolina, replied to some remarks made by me on the resolution to appoint a committee to inquire into the defalcations of Samuel Swartwout, will you have the goodness to state what time Mr. Stanly occupied in making his reply? Whether Mr. Slade of Vermont did, or did not, hand him

(Stanly) a paper containing my answer to some abolition interrogatories; and whether Mr. Slade did, or did not, point out to Mr. Stanly such passages of said answer as Mr. Stanly exhibited in his reply?

Your attention to this will much oblige your friend,

A. DUNCAN.

Honorable H. L. TURNEY.

HOUSE OF REPRESENTATIVES, *February —, 1839.*

SIR: I have received your note of the 9th of this month; and, in answer thereto, have the honor to state, that I was in my seat in the House of Representatives on the 17th of January last. I heard your speech delivered in the House on that day, on the subject to which you refer, and the reply thereto of the honorable Mr. Stanly, of North Carolina, on the same day. I did not tax my recollection with the precise time occupied by Mr. Stanly in making his reply, but my impression is it did not exceed fifteen or twenty minutes.

In the course of Mr. Stanly's remarks, I understood him to make allusions to a letter which he alleged had been written by you on the subject of abolitionism. He regretted that he had not the letter to read to the House. In a few seconds after this, my attention was directed to Mr. Stanly by some gentlemen who sat near me, and who called my attention to the fact, that Mr. Slade was prompting Mr. Stanly, by pointing out to him certain parts of your letter, to be read by him to the House. I have no knowledge how or from whom Mr. Stanly received the letter above referred to.

I am, sir, respectfully yours, &c.

H. L. TURNEY.

Honorable A. DUNCAN.

HOUSE OF REPRESENTATIVES, *February 9, 1839.*

SIR: Were you in the House on the 17th January, 1839, when I made some remarks on the resolution providing for the appointment of a committee to inquire into the defalcations of Samuel Swartwout; or were you present when Mr. Stanly, of North Carolina, replied to me? If so, will you be so good as to state, first, if Mr. Slade, of Vermont, did, or did not, hand him (Stanly) a paper containing my letter in answer to some abolition interrogatories? Second, state whether Mr. Slade did, or did not, stand by him (Stanly) and prompt or point out such passages of said letter as were exhibited in his reply? Third, will you state what time Stanly occupied in his reply, and whether or not the greater portion of that time was occupied in reading portions of the letter above alluded to?

Your attention to this will much oblige yours, &c.

A. DUNCAN.

Honorable J. A. BYNUM.

WASHINGTON CITY, *February 10, 1839.*

SIR: In reply to your note of the 9th instant, and the questions therein contained, I can only say that I was present, and heard the concluding part of your remarks on the occasion alluded to; after which, I saw Mr. Stanly rise, and heard his reply.

I did not see Mr. Slade hand Mr. Stanly the paper containing your letter on the subject of abolition. Mr. Slade has informed me since, however, that he did hand Mr. Stanly such a paper at the time alluded to by you.

While Mr. S. was speaking, I saw Mr. Slade standing by or behind Mr. Stanly, pointing, as I thought, at different paragraphs in the paper held by Mr. S. As to the last question, I think I heard Mr. Stanly say, in concluding his few remarks, that he had not addressed the House more than fifteen minutes; and I think that about the time he did speak.

With respect, I have the honor to be, your obedient servant,

J. A. BYNUM.

Honorable A. DUNCAN.

HOUSE OF REPRESENTATIVES, February 9, 1839.

SIR: Were you in the House on the 17th January, when I made some remarks on the resolution providing for the appointment of a committee to inquire into the defalcations of Samuel Swartwout, or were you present during the time that Mr. Stanly replied to me? If so, will you be so good as to state the time, as near as possible, or as well as you can recollect, that he (Stanly) occupied in his reply? Your early answer will much oblige your friend,

A. DUNCAN.

Honorable ELY MOORE.

HOUSE OF REPRESENTATIVES, February 12, 1839.

SIR: In reply to the interrogatories contained in your communication of the 9th instant, I will state that I was in the House at the time referred to, and heard the remarks both of Mr. Stanly and yourself. The time occupied by Mr. S. in his reply to you did not, to the best of my recollection, exceed fifteen minutes.

Very respectfully,

ELY MOORE.

Honorable A. DUNCAN.

I think I am sustained in the fact which I have asserted, viz: that "the speech of Mr. Stanly of North Carolina, in reply to Dr. Duncan," &c., never was made in the House of Representatives, or, if made, must have been made in the *short space of "fifteen minutes!"* But even all that time was not occupied in making the speech purporting to be the reply to "Dr. Duncan." When I charged upon the member a base falsehood, &c., for making the insinuation which he did, some part of the fifteen minutes was occupied in denying that he had insinuated that I was an abolitionist. Here is where the member showed the white feather. That denial was but a squirming from under the responsibility of answering in an honorable way the charge of being guilty of base falsehood. A part of the balance of these precious fifteen minutes, (and a great part, too,) was occupied in reading garbled extracts from a letter which I wrote in answer to some abolition interrogatories propounded to me shortly before my re-election. The member first regretted that he had not the letter in his possession; but it was soon furnished. Who furnished it? Mr. Slade of Vermont. Ah! Mr. Slade, I am happy to meet you on this board of exposition. I have been talking all this time about (to use a vulgar phrase) "the little end of nothing;" a thing that requires the use of a telescope to see, if it be at any considerable distance; hardly the ninth part of a man; a thing now out of time and out of place; a thing that the Almighty never intended for any other purpose than the use of the bodkin, shears, and thimble. But you, sir, are a man six feet five in your shoes. I feel a freedom in talking to you; and, in order to have a full and ample case, I will splice the member from North Carolina to you, and for a short time will consider you one person, or in "*cahoot*," and in that capacity I will hold myself responsible to you for all I say.

You profess to be an abolitionist—religiously, morally, patriotically, and civilly, a modern abolitionist; even, so I have been told, to *amalgamationism*. You furnished the member from North Carolina, did you, with my answer to the abolitionists, from which to read garbled extracts? You stood at his elbow, did you, prompting him, and pointing out suitable passages of my letter, to enable him to make an anti-abolition speech, and attach to my name that of abolitionism? Only think of this! a rank abolition whig from the North, in "*cahoot*" with a rank anti-abolition whig from the South, in exposing the pernicious doctrine contained in a letter which deprecates slavery in the *abstract*; or, rather, a Northern abolition whig making a convenience and a parrot of a Southern anti-abolitionist, through which to expose the dangerous tendencies of an expression of hostility to slavery in the abstract, and its effects, without regard to time or place! What base sophistry! what black hypocrisy! what political swindling for base and corrupt party purposes!

Yes, black hypocrisy, take it as you may. If I am an abolitionist, why should the member

from Vermont lend himself to make me odious to the slave-holding people? Or, if the member from Vermont is sincere in his profession of abolitionism, why is he assisting and prompting an anti-abolitionist to expose opinions of mine, to the prejudice of the principles of his faith? If the member from North Carolina is sincere in his professions of anti-abolitionism, why does he permit himself to be made the tool of an avowed abolitionist? All this unnatural connexion is well understood. Abolitionism and whigery, like twin brothers, walk hand and hand here and everywhere else. There is not an *ism* on earth, however degraded, that whigery will not take by the hand. Here we have the evidence of the submission and acknowledgment into which the member from North Carolina was either kicked or coerced by party discipline, evidenced by the following letter, by which the member from North Carolina is made publicly to retract a charge which he had made against the member from Vermont, and to declare, publicly, that he [Stanly] believes that the open, avowed, and reckless abolitionist [Slade] "means no harm to the South." But read the letter; here it is:

TO THE EDITORS.

WASHINGTON, December 14, 1838.

Messrs. GALE & SEATON: In the *Intelligencer* of this morning I find the following report:

"Mr. Slade introduced the following resolution:

"Whereas there exists, and is carried on between the ports in the District of Columbia and other ports of the United States, and under the sanction of the laws thereof, a trade in human beings, whereby thousands of them are annually sold and transported from said District to distant parts of the country, in vessels belonging to citizens of the United States: and whereas such trade involves an outrageous violation of human rights, is a disgrace to the country by whose laws it is sanctioned, and calls for the immediate interposition of legislative authority for its suppression:

"Therefore, to the end that all obstacles to the consideration of this subject may be removed, and a remedy for the evil speedily provided,

"Resolved, That so much of the fifth of the resolutions on the subject of slavery, passed by this House on the 11th and 12th of the present month, as relates to 'the removal of slaves from State to State,' and prohibits the action of this House on 'every petition, memorial, resolution, proposition, or paper, touching' the same, be, and hereby is, rescinded."

After which, it is reported that "Mr. Dawson called for the reading of the resolution; which, having been again read, Mr. Stanly said he wished to introduce an amendment. The Chair said it was not now in order, the resolution not yet being in the possession of the House."

When Mr. Slade's resolutions were read, and I heard the words "outrageous violation of human rights," and "disgraceful," applied, as I thought, to the slaveholding States; and to North Carolina as one of them, I could not repress the indignation I felt at such language. It was under the influence of this excitement that I wished to "introduce an amendment," when "the Chair said it was not now in order."

The amendment I wished to introduce was in the words following:

"Resolved, That said resolution is disrespectful in its language, and outrageously insulting to the Representatives of the slaveholding States; that it is calculated to provoke and irritate the members from said States; and that the consideration of said resolution would be an 'outrageous violation' of the respect due to the slaveholding States, and would necessarily tend to weaken the bonds of our Union.

"Resolved, That said resolution is 'disgraceful' to the member who presents it, as it evinces a total disregard of the feelings of the Representatives of the slaveholding States of this Union, and does not deserve to be considered by the House."

But the rules of order, different at different times, prevented me from introducing this amendment; and I do not now regret it, as the resolution was not considered by the House, and as I

have been since satisfied that, though the language sounded harshly to the ears of a Representative from the South, nothing offensive was intended; and I write this note now, that my constituents may be informed what my amendment was; waiting for an hour of leisure, when I will inform them more fully why it was that I did not vote upon the resolutions recently offered by a member from New Hampshire.

I have good reasons for refusing to join in the miserable farce which has been played by the instruments of party in the House of Representatives during Tuesday and Wednesday last.

Oblige me by publishing this note.

Very respectfully, yours,

EDWARD STANLY.

Comment on this letter, it would seem, is unnecessary. The resolution of the member from Vermont not only strikes at the root of every interest the Southern States have in the institution of slavery, but it uses the most degrading and abusive language that a foul tongue could express, or a poisoned pen record; and so the member from North Carolina virtually expresses himself. But, either from being whipped into the traces by force of party discipline, or from cowardice unworthy a son of the South, whose heart ought to be in her interests, and her reputation his boast, he is forced to the degrading *public* acknowledgment that nothing offensive to the South was intended by the member from Vermont! I think, as the people of North Carolina will understand this matter, it is useless for me to expand upon it.

But a word in relation and in justice to myself. A few days prior to my re-election, several interrogatories were propounded to me on the subject of the abolition of slavery in the District of Columbia, and I, probably on the spur of the occasion, answered them without time for reflection or opportunity for examination; but I am to say that, on mature examination, I have not one word contained in that letter to take back, as it regards slavery in the abstract, or abolitionism. When I wrote that letter, I felt as I wrote. I wrote as I now feel, and as I hope always to feel, on the subject of slavery in the abstract, and as thousands and hundreds of thousands of the best men the world ever produced have thought, and now think, both in free and in slave States.

My remarks in that letter were made with reference to slavery in all time, present, past, and future, and without reference to any particular realm, kingdom, empire, or republic; and I now say, that the man who will otherwise express himself to this general view of the subject of slavery in the abstract, is no philanthropist, is no friend to human liberty, and would be unworthy the proud name of an American.

My objections to modern abolitionism are strongly expressed in the same letter. I there deprecate it as disorganizing in its tendencies—in violation of the compact by which the Union was brought into existence, and, if persisted in, will endanger its duration. My official course since, has been in accordance with the view I then entertained of it. I voted to suspend the rule for the admission of Mr. Atherton's resolutions, for the object and contents of which I refer the reader to the journals of the House of Representatives for the present session of Congress. A motion for adjournment was then made by Mr. Bell, at the early hour of half-past one o'clock P. M., evidently for the purpose of defeating the adoption of the resolutions. I voted against the adjournment; but the member from North Carolina (Mr. Stanly) voted in favor of the adjournment. I voted throughout for the adoption of these resolutions, with the exception of the last division of the last resolution, which goes to prevent the reading, printing, and reference of petitions on the subject of abolitionism. This I thought impolitic, and well calculated to multiply petitions and petitioners on this vexed question, because such a disposition never fails to raise the cry of persecution. I also thought that such a disposition of petitions was a violation of the right of petition as secured by the constitution; for, surely, to prevent and refuse legislative action upon them is virtually to prostrate the right to petition. To recognise the right to petition Congress to abolish slavery in the District of Columbia, (which Congress does by its

ceiving petitions for that purpose,) and at the same time, and by the same act, to refuse them the usual legislative action, is more than contemptuous mockery of the right to petition.

I hold that the people have a right to petition Congress for the redress of every grievance not forbidden by the constitution. I hold that the people are, and of right ought to be, the judges of what they shall petition Congress for; and I hold it follows, as a corollary, that Congress is bound to give petitions the proper and usual direction, to the end that they may receive that legislative action which the framers of the constitution intended they should when they secured inviolate the right of petition. It seems to me that good policy and a sound interpretation of the constitution require that such should be the disposition of all petitions.

I voted for Mr. Atherton's resolutions, because I thought the reserved and constitutional rights of the Southern States demanded their adoption. I voted for them because I thought the peace and quiet of the country required it. I voted for them, because, as I have before said, I think the practical operation of the principles of modern abolitionism would be more fatal to the unfortunate African than even slavery itself as it at present exists in the United States; and, therefore, I can consider modern abolitionism in no other light than as mistaken philanthropy. I voted for their adoption, because I am not clear that Congress has any such power over the District of Columbia, as to abolish slavery within its limits. But, above all, I voted for them, because I think the perpetuity of this Union and the duration of our institutions required that they should all be adopted, with the exception of that part of the last resolution which I before excepted.

I say I stood by and sustained these resolutions, voting for them against all the efforts to defeat them by the opposition. But where was the member from North Carolina at this trying moment? I have examined the journals—the name of Edward Stanly is not to be found. Where was he, I ask, when the Northern democracy rallied, almost to a man, to put at rest a question that was shaking the institutions of his State from their centre to their circumference, and endangering the very existence of the Union itself? I repeat, where was the member at this responsible crisis? Was he at his post, sustaining the interests of his State, which he said on one occasion, not long since, had “*GROWN WITH HIS GROWTH! STRENGTHENED WITH HIS STRENGTH!!!*” No he was not at his post. He was, spaniel-like, skulking from his duty and his post, at the nod of party discipline; but, when backed and prompted by the abolitionist Slade, he assumed all the pertness of a whiffet, hissed on, puppy-like, to do that which a bigger dog had not the courage to attempt.

But to conclude, people of North Carolina, (for this paper may find its way to you,) what do you think of your Representative, who has attempted to practise a base fraud and a mean deception upon you, by promulgating a speech among you, purporting to have been delivered by him in the House of Representatives, which never was delivered; and though a disgrace—delivered or written—to any man but the member from North Carolina, he has neither the moral courage nor the talent to deliver. What do you think of your Representative, who has patiently stood to be charged with base falsehood and foul detraction with impunity, and who, to skulk from the responsibility of resenting such an insult, has basely denied that which every word written in this, which he is pleased to call his speech bears evidence; thus adding, I repeat, base falsehood to mean cowardice. What do you think of your Representative, who has skulked from the support of measures (I mean Atherton's resolutions) introduced for the purpose of putting to rest that dangerous question, modern abolitionism—so eminently calculated to disturb the peace and harmony of this Union, and to prostrate or shake the institutions of the member's State, whose interests have “*GROWN WITH HIS GROWTH!!! and strengthened with his strength!!!*”

But, above all, what do you think of your Representative, who has permitted himself to be made the tool, the catpaw, the thing, the automaton, and the parrot, through which an open and avowed abolitionist should make an anti-abolition speech? An anti-abolition speech through your Representative! and that, too, by an abolitionist! yes, and I believe an amalgamation abolitionist, too; a man who has spent, or evaporated, thousands of dollars on the floor of Congress in efforts to establish principles and laws subversive of your institutions, in violation of your re-

served rights as a State, and disorganizing, if not destructive to the Union; and, so far as amalgamation is concerned, or is a part of his creed, degrading to the American character. This is the man from whom your Representative receives promptings, papers, and dictations, to fix upon as the character of an abolitionist, and to expose the horrors, injustice, and dangers of modern abolitionism!

I conclude by saying, that if the speech in the *Intelligencer*, which purports to be "the reply of Mr. Stanly, of North Carolina, to Doctor Duncan," had been delivered, and had the member suspended the previous question which he held, and which he refused to suspend, this communication would have appeared in the form of a reply, which would have been made to all he really did say; but as it was, I thought it due to myself, to those who may read this paper, and to the cause of truth and justice, to make the above exposé.

Further this deponent saith not.

A. DUNCAN.

HOUSE OF REPRESENTATIVES, *February 12, 1839.*

SIR: In a letter written by me in answer to some interrogatories propounded to me as the subject of abolitionism, by a number of members of the anti-slavery society in the district I have the honor to represent, I deprecate slavery in the abstract; and I attempt, to some extent, to describe the effects it has upon the institutions and prospects of those countries and States where it exists. I also, in the same letter, deprecate modern abolitionism as dangerous and disorganizing, subversive of the reserved rights of the slave States, and calculated to endanger the Union, &c. All in that letter that I said in relation to slavery, was intended to apply to slavery in the abstract; also to apply to slavery and its effects in all time past, present, and future. I gave no locations. My objections and descriptions were of the most general character. I see in a speech published in the *National Intelligencer*, purporting to be a speech made by "Mr. Stanly, of North Carolina, in reply to Doctor Duncan," &c., he is made to ask, in substance, if the ruin and desolation, &c., which I describe in the letter above named, applies to your district, &c. You are made to respond, "No; it is a foul libel, a base slander upon my constituents and upon my State." If you made such a remark, I did not hear it, or I would have responded to it at the time. I presume you made it. Now, sir, if you read my letter, you must have seen that my objections to slavery have reference to slavery in the abstract, and applied to slavery, as I have before said, in all time; and my description of its effects had no location. You had no right to suppose that my description of the effects of slavery applied to your State, or your district, where it is well known it is a matter of history creditable to your State, that slavery exists in its mildest and most unexceptionable form. I say, if you had read my letter you would have had no grounds to warrant the remark you are said to have made. If you never read the letter, and knew nothing of its contents, only from the base and unmanly manner in which its garbled fragments have been exhibited, you were wholly unjustifiable in your remark. You made the remark under the broad and protective shield of parliamentary privilege. You have not the moral courage to face me, or any other man, and make such a remark, without the protection of such a privilege. It is a shield and privilege under which many a puppy, in man's shape, has taken refuge.

I think your remarks were unwarranted, uncalled for, and unprovoked. And, sir, on my own responsibility, and without claim to privilege, permit me, by way of offset and compromise, to reciprocate the remark by another, which I think better founded in truth—that is, that you are a liar and a scoundrel; and permit me to add, also, that, in my opinion, you are better qualified to adorn the gambler's board, the brothel, and the dogery, than the halls of Congress.

A. DUNCAN

TO WILLIAM SOUTHWATE, Esq.

HOUSE OF REPRESENTATIVES, *February 18, 1839.*

SIR: In the remarks which I made in the House of Representatives on the 17th January, 1839, on the resolution to appoint a committee to investigate the defalcations of Samuel Swart-

wout, I exposed the names of several Government defaulters, and the several amounts for which they were in default, and the offices which they held under which the defalcations occurred. In my expositions I was governed by the official reports and records of the different Government departments. Among them I found the name of Robert B. Randolph, acting purser in the navy, reported to be a defaulter to the amount of \$25,000, or upwards. Since the publication of the remarks above referred to, I have seen a communication, addressed to me through the Alexandria Gazette, (a paper published in the District of Columbia,) signed Robert B. Randolph, denying that he is a public defaulter, as he has vouchers to show, &c.

I hope the statement of Mr. Randolph is true. It will give me great uneasiness if I have done him injustice. I have not the slightest acquaintance with Mr. Randolph, nor have I any practical knowledge of his defalcations whatever. If I have done him injustice in the exposition I have made, it will give me great pleasure to acknowledge my error in as public a manner as I have made the exposition. Will you have the goodness to inform me, without delay, what the relations of Mr. Randolph are with the Government, in reference to the defalcations reported by your Department?

Respectfully,

A. DUNCAN.

To the FOURTH AUDITOR.

TREASURY DEPARTMENT,

Fourth Auditor's Office, February 19, 1839.

SIR: I have the honor to acknowledge the receipt of your letter of this date, inquiring "what the relations of Mr. Robert B. Randolph are with the Government, in reference to the defalcations reported by the Treasury Department," and to state, in reply, that the account of Mr. Randolph, as acting purser of the frigate Constitution, was settled and closed in this office in the month of October, 1828; that, in February, 1833, he was recharged with items for which he had been erroneously credited in the previous settlement, amounting to \$25,229 17; and that, by a subsequent allowance for pay and rations to 19th April, 1833, the balance against him was reduced to \$25,097 83; in which sum he appears, by the books of this office, still to be indebted to the United States.

I have the honor, sir, to be, very respectfully, your obedient servant,

A. O. DAYTON.

To the Hon. ALEX. DUNCAN,

House of Representatives.

HOUSE OF REPRESENTATIVES, *February 19, 1839.*

SIR: If you were Fourth Auditor of the Treasury Department at the time Robert B. Randolph was purser in the navy, will you have the goodness to state to me whether Mr. Randolph was, or was not, a public defaulter? If he was a defaulter, please state to what amount he so appeared. It is alike due to myself, as it is to Mr. Randolph, that this information should be furnished me. Will you please give it your immediate attention?

I am, yours, with high respect,

A. DUNCAN.

Hon. A. KENDALL.

WASHINGTON, *February 18, 1839.*

SIR: I have just received your letter of this date. I was not Fourth Auditor at the time Robert B. Randolph was an acting purser in the navy, nor did I settle his account for that service; but I settled the account of his predecessor in the purser'ship, who had died at sea; and, in the course of that duty, discovered that Mr. Randolph had received a large sum of public money left by the deceased purser on board of his ship, with which he had never been charged, and other property, public and private, for which he did not appear to have accounted. The amount was, accordingly, charged to him on the books of the Fourth Auditor, where, I suppose, the charge still stands.

Mr. Randolph denied his indebtedness, alleging that he had paid away the money on account of his predecessor, and taken the vouchers in his name; but could produce no proof which would entitle him to credits in the accounting office. It was the opinion of a court of inquiry, called in his case, that he had applied a portion of the money in the way he alleged, and that he was justly indebted for the balance.

I write from memory and cannot particularize.

Very respectfully, your obedient servant,

AMOS KENDALL.

Hon. A. DUNCAN.

I have been induced to make the inquiries and exposures here exhibited, in consequence of the following communication, viz:

ALEXANDRIA, January 23, 1839.

In a speech which has been published, said also to have been delivered by you, in the House of Representatives, I find that you have classed me among the public defaulters. However ~~not~~ you may be in favor of abolition "in the abstract," I beg that, hereafter, you will not, in making use of my name, *abolish the truth*. I am no defaulter, as the documents in my possession will show. It may suit your creed, sir, to stand up in your place, and, with brazen front, declare honest and honorable men; but you shall not use your "privilege" where I am concerned without receiving a proper contradiction. You have quite enough to do to defend the perjuries and frauds of your political friends—those who steal millions and up stakes for England, as well as those who steal thousands and remain at anchor here—without calumniating innocent persons. I, therefore, recommend to you a little caution in your future harangues.

R. B. RANDOLPH,

Late of the United States navy.

To the Hon. A. DUNCAN, of Ohio.

It was not from a spirit of resentment I have been induced to notice the above communication. No: I was led to notice it from a disposition to do Mr. Randolph justice and right, if I had done him an injury, although I think most readers will conclude, with me, that Mr. Randolph might have seen abundance of reason in the following extract to have desisted from the above communication. This extract is taken from the speech to which Mr. Randolph alludes, and was an answer to Mr. Bell, as the extract shows. When I was exposing the defalcation of the Messrs. Erwin, Mr. Bell, of Tennessee, rose and said the Erwins were not defaulters; it was a slender promulgated by the Globe paper.

"Mr. DUNCAN responded, that he did not get the information from the Globe: he obtained it from the records in the archives of the Government; evidence of the highest character, and that which is open to the view of every one who desires to read. I hope (said Mr. D.) it is true. I would prefer to conceal, at all times, human weakness and depravity, rather than expose, where it may be done without public injury; but I would prefer that such depravity as I am now exposing did not exist. And let me say, once for all, that I know nothing personally of the numerous and wholesale frauds which I am now exposing. I am alike ignorant of the men whom the records show to be the perpetrators. These frauds, with the names of those who committed them, are matters of record, and the facts are spread over the whole country, and known to all who read the journals of Congress and the reports of the Secretary of the Treasury. Consequently, my exposition can neither affect the reputation of those whose names I expose nor the cause of justice."

I say the remarks contained in this extract might have well superseded the communication. But Mr. R. volunteers the following advice: "I therefore recommend to you a little caution in your future harangues." I return my thanks for this advice; and when I want more I will call for it. But Mr. R. is unkind in saying, "It may suit your creed, sir, to stand up in your

place, and, with brazen front, defame honest and honorable men." I say this is an unkind charge—is unkind, if it is intended to fix on me a claim of privilege in consequence of my representative character. I claim no privilege on that ground. I hold myself responsible for all I say, either in my personal or representative character. If, perchance, I am officially compelled to notice men and things in a manner unpleasant, and I am to be held responsible in my individual capacity, all I ask is that he be a gentleman who so holds me. I want him to have clean hands. He must be such a one whose frauds have not been such as to place him out of time and out of place when he is without the gloomy walls of a degrading penitentiary. He must not have the base and degraded character of coward united to his reputation in life and to his memory in death, by having pulled the nose of an old patriot, withered and bleached by the frosts of seventy winters, and worn to the brink of the grave by services to his country.

A. DUNCAN.

Therefore,

Resolved, That the said Alexander Duncan has, in the premises, subjected himself to the just censure of this House; and that he be reprimanded therefor by the Speaker, in the presence of the House.

This proposition of amendment was accepted by Mr. Prentiss; who thereupon modified his resolution accordingly; and the question was stated that the House do agree to the resolution as modified.

And, after debate,

A motion was made by Mr. Elmore that the said resolution and preamble do lie on the table: when

A call of the House was ordered, on the motion of Mr. Tillinghast; and the roll being called over, all the members answered to their names except—

Messrs. John W. Allen, Ratliff Boon, Jesse F. Cleveland, Charles D. Coffin, John W. Crockett, Edward Curtis, Edward Darlington, Hiland Hall, James Harlan, Charles E. Haynes, William H. Hunter, John W. Jones, Gouverneur Kemble, Samson Mason, John P. B. Maxwell, Mathias Morris, R. Barnwell Rhett, Charles Shepard, Francis O. J. Smith, and William Stone.

Mr. Curtis, Mr. Harlan, and Mr. Smith, members of the Select Committee on Defalcations, have leave to be absent.

On motion of Mr. Anderson, all further proceedings in the call were dispensed with, and the question recurred on the motion that the resolution do lie on the table: when

Mr. Elmore withdrew the said motion.

A motion was then made by Mr. Sherrod Williams, that the resolution do lie on the table; and

The question being put,

It passed in the affirmative, { Yeas, 117,
 { Nays, 95.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
John C. Brodhead

Mr. Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
John Campbell
Zadok Casey
John Chaney
Reuben Chapman
William K. Clowney
Walter Coles
Henry W. Connor

Mr. George W. Crabb
Robert Craig
Isaac E. Crary
John W. Crockett
Samuel Cushman
Thomas Davee
John I. De Graff
George C. Dromgoole
Franklin H. Elmore
James Farrington
Isaac Fletcher

Mr. Henry A. Foster
 Jacob Fry, jr.
 Albert Gallup
 Thomas Glascock
 Abraham P. Grant
 Hiram Gray
 John K. Griffin
 Elisha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Micajah T. Hawkins
 Charles E. Haynes
 Hopkins Halsey
 Orrin Holt
 Benjamin C. Howard
 William H. Hunter
 Robert M. T. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Joseph Johnson
 Nathaniel Jones
 George M. Keim
 Gouverneur Kemble
 John Klingensmith, jr.
 Daniel P. Leadbetter
 Henry Logan
 Arphaxed Loomis

Mr. Francis S. Lyon
 James M. Mason
 Joshua L. Martin
 Abram P. Maury
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 John Miller
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 John L. Murray
 William H. Noble
 George W. Owens
 John Palmer
 Amasa J. Parker
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 Isaac S. Pennybacker
 David Petrikin
 Lancelot Phelps
 Francis W. Pickens
 Arnold Plumer
 William W. Potter
 Zadock Pratt

Mr. John H. Prentiss
 Luther Reily
 John P. Richardson
 Francis E. Rives
 John Robertson
 Samuel T. Sawyer
 Daniel Sheffer
 Matthias Shepler
 Adam W. Snyder
 James B. Spencer
 Henry Swearingen
 William Taylor
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Henry Vail
 Abraham Vanderveer
 David D. Wagener
 Taylor Webster
 Joseph Weeks
 Thomas T. Whittlesey
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 John T. H. Worthington
 Archibald Yell.

Those who voted in the negative are—

Mr. James Alexander, jr.
 Heman Allen
 J. Banker Aycrigg
 John Bell
 Richard Biddle
 William Key Bond
 Nathaniel B. Borden
 James W. Bouldin
 George N. Briggs
 William B. Calhoun
 John Calhoon
 William B. Campbell
 William B. Carter
 John Chambers
 Richard Cheatham
 Timothy Childs
 John C. Clark
 Thomas Corwin
 Robert B. Cranston
 Caleb Cushing
 William C. Dawson
 Edward Davies
 Edmund Deberry
 John Dennis
 George H. Dunn
 George Evans
 Horace Everett
 John Ewing
 Richard Fletcher
 Millard Fillmore
 Rice Garland
 Joshua R. Giddings

Mr. Patrick G. Goode
 James Graham
 William Graham
 George Grennell, jr.
 Hiland Hall
 William Halsted
 Alexander Harper
 William S. Hastings
 Richard Hawes
 Thomas Henry
 William Herod
 Ogden Hoffman
 Jabez Jackson
 Daniel Jenifer
 Henry Johnson
 William Cost Johnson
 John P. Kennedy
 Hugh S. Legare
 Levi Lincoln
 Francis Mallory
 Richard P. Marvin
 William L. May
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle
 James A. Pearce
 Luther C. Peck

Mr. John Pope
 David Potts, jr.
 Sergeant S. Prentiss
 Harvey Putnam
 James Rariden
 Joseph F. Randolph
 John Reed
 Joseph Ridgway
 Edward Robinson
 Edward Rumsey
 David Russell
 Leverett Saltontall
 John Sergeant
 Augustine H. Shappell
 Ebenezer J. Shields
 Mark H. Sibley
 William Slade
 Archibald Stuart
 Charles C. Stratton
 John Taliaferro
 Waddy Thompson, jr.
 Joseph L. Tillinghast
 George W. Toland
 Joseph R. Underwood
 Albert S. White
 John White
 Lewis Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 Thomas Jones York.

A message from the Senate, by Mr. Dickens, their Secretary :

Mr. Speaker : The Senate have passed bills of the following titles. 33

Wit :

No. 86. An act to authorize the selection of lands for the benefit of the University of Michigan, instead of other lands heretofore selected, and for other purposes ;

No. 231. An act for the relief of the legal representative of John J. Bulow, junior, deceased ;

No. 246. An act to repeal certain acts respecting navy pensions, and making further provisions in relation to navy pensions ;

No. 269. An act to authorize the Washington County and St. Genevieve Railroad Company, in the State of Missouri, to construct a road through the public lands ;

No. 229. An act in amendment of the acts respecting the judicial system of the United States ;

in which bills I am directed to ask the concurrence of this House. And then he withdrew.

Mr. Everett, from the Committee on Indian Affairs, to which was referred the bill from the Senate (No. 155) entitled "An act supplementary to an act entitled 'An act to amend an act for the appointment of commissioners to adjust the claims to reservations of land under the treaty of 1838 with the Choctaw Indians,'" made a report upon the said bill, accompanied by amendments to the same.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Naylor, from the Select Committee appointed on the 14th instant "to inquire into the official conduct of Captain Jesse D. Elliott, of the United States navy, while in command of the squadron in the Mediterranean, in the years 1837 and 1838, and particularly into the allegations of tyranny and oppression towards the officers under his command," and to which was also referred, on the same day, the letter from the Secretary of the Navy, transmitting copies of the charges preferred by Charles C. Barton, a passed midshipman, against the said Captain Elliott, made a report, under the direction of a majority of said committee, recommending the adoption of the following resolutions, viz :

1. *Resolved*, That an interference by the House of Representatives in the disputes that occur between subordinate officers of the navy and their superiors, commanding squadrons, is a power which ought at all times to be exercised with great caution, and is calculated to produce insubordination in that important arm of the national defence ; but, in the opinion of this committee, it is competent for the representatives of the people to investigate any abuses alleged to be committed by officers in command of squadrons, and to provide, by law, against a recurrence of such abuses ; and, moreover, to investigate and ascertain whether the head of the Navy Department may have used such means as are placed in his hands by law to punish and prevent any such alleged abuses.

2. *Resolved*, That the most appropriate remedy for such subordinate officers is an appeal to the Secretary of the Navy for a court of inquiry to investigate the charges exhibited against their superiors ; and from his decision the party aggrieved may appeal to the President, who, by the constitution, is commander-in-chief of the navy ; he, as well as the Secretary, being liable to impeachment for a wilful or corrupt violation or neglect of duty.

3. *Resolved*, That the time allowed this committee is insufficient to enable them to make a full and thorough examination of the subject com-

mitted to them; that even a limited and partial examination would require them, contrary to the duty they owe to their immediate constituents, and to the country at large, to be absent daily, during the sittings of the House at this important period of the session.

4. *Resolved, therefore*, That it is inexpedient to commence the investigation at this time, and that the chairman report these resolutions, with the journal of our proceedings, to the House, together with the opinion of this committee that the subject-matter referred to them by the resolution of the House of the 14th instant *requires* investigation, and that he ask that the committee be discharged from the further consideration of the subject.

Mr. Naylor, from the same committee, on behalf of himself and Mr. Chambers, by leave, submitted a report containing their views on the subject-matters of inquiry committed to said committee; which was also read.

Mr. Lyon, a member of said committee, by leave, submitted a paper containing his own views upon the subject-matters of inquiry committed to said committee; which paper was also read.

A motion was made by Mr. Prentiss, of Mississippi, that the said reports, majority and minority, be recommended to the said committee, with instructions to strike out from the resolutions reported by the committee all such parts as relate to the propriety or impropriety of this investigation;

And, after debate,

A motion was made by Mr. Cambreleng, that the said reports do lie on the table.

A division of the question was moved by Mr. Mallory;

And, on the question that the report of the majority do lie on the table. It passed in the affirmative.

The question was then put that the reports of the minorities do lie on the table,

And passed in the affirmative.

Mr. Howard moved the following resolution; which was read, and the rule which requires the same to lie on the table one day being dispensed with, it was considered and agreed to:

Resolved, That the President of the United States be requested to inform this House whether any and what change has occurred since his annual message in the posture of the relations between the United States and Mexico; and to communicate to the House such correspondence relating thereto as may not be incompatible with the public interest.

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 891) making appropriations for the civil and diplomatic expenses of Government for the year 1839, and had come to no resolution thereon.

A message from the President of the United States was received, by Mr. Abraham Van Buren, his private secretary; which was read, and is as follows:

WASHINGTON, February 22, 1839.

I herewith transmit a report from the Secretary of State, with accompanying documents, on the subject of the blockades of the Mexican coast and of the Rio de la Plata, in answer to the resolution of the House of Representatives of the 11th instant.

M. VAN BUREN.

To the SPEAKER of the House of Representatives.

Ordered, That the said message be referred to the Committee on Foreign Affairs.

The Speaker laid before the House a letter from the Secretary of State, transmitting statements showing the number and designation of the passengers who have arrived from foreign countries in each collection district of the United States during the year 1838, rendered in pursuance of the act of the 2d March, 1819; which letter and statements were laid on the table.

And then, at six o'clock, the House adjourned until to-morrow, eleven o'clock in the forenoon.

SATURDAY, FEBRUARY 23, 1839.

Bills from the Senate of the following titles, viz :

No. 28. An act for the relief of Michael Armbrister ;

No. 101. An act to extend the jurisdiction of the corporation of the city of Washington over the Potomac bridge ;

No. 273. An act to incorporate Georgetown College, in the District of Columbia ;

No. 279. An act supplemental to the act granting certain city lots to the corporation of the Columbian College, for the purposes therein mentioned, approved the 14th day of July, 1832 ;

No. 8. Resolution authorizing the opening of an alley and the execution of certain deeds in the city of Washington ;

were, severally, read the first and second time, and committed—

No. 28, to the Committee on the Public Lands.

No. 101, to the Committee for the District of Columbia.

No. 273, to the Committee for the District of Columbia.

No. 279, to the Committee for the District of Columbia.

No. 8, to the Committee for the District of Columbia.

A message from the Senate by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have been notified by the President of the United States that he did, on the 20th instant, approve and sign enrolled bills of the following titles, viz :

No. 2. An act to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof.

No. 78. An act to amend an act entitled "An act to establish a criminal court in the District of Columbia."

The Senate have passed bills of this House of the following titles :

No. 440. An act for the relief of the legal representatives of Thomas Glascock, deceased ;

No. 877. An act for the relief of Joseph Hernandez ;

No. 1146. An act to provide for the erection of a new jail in the city of Washington, in the District of Columbia ;

with amendments to Nos. 877 and 1146 ; in which amendments I am directed to ask the concurrence of this House.

The Senate have also passed bills of the following titles, to wit:

No. 138. An act for the relief of Samuel Collins;

No. 204. An act to authorize the Secretary of War to adjust and pay to Benjamin Murphy, of Arkansas, the value of his corn, cattle, and hogs, taken by the Cherokee Indians in the month of December, 1828;

No. 240. An act to fix the minimum price of the lands acquired by the Miami treaty of the 6th of November, 1838;

No. 176. An act to grant the right of pre-emption to a quantity of land to aid in the construction of a railroad from New Albany, in the State of Indiana, to Mount Carmel, in the State of Illinois;

No. 281. An act to amend the act of the 3d of March, 1837, entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States, and for other purposes;'"

No. 301. An act for the relief of John H. Jacocks;

in which bills I am directed to ask the concurrence of the House.

And then he withdrew.

The bill from the Senate (No. 229) entitled "An act in amendment of the act respecting the judicial system of the United States," was read the first and second time, and ordered to be read a third time on Monday next.

The bill from the Senate (No. 160) entitled "An act to provide for the armed occupation and settlement of that part of Florida which is now overrun and infested by marauding bands of hostile Indians," was read the first and second time; and

A motion was made by Mr. Petrikin that the said bill be referred to the Committee on Military Affairs: when

A motion was made by Mr. Robertson that the said bill do lie on the table.

A call of the House was then moved by Mr. Stanly;

And on the question, Shall there be a call?

It passed in the affirmative, { Yeas, 89,
Nays, 60.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
Charles G. Atherton
Linn Banks
William Beatty
Andrew Beirne
John Bell
Richard Biddle
Samuel Birdsall
William Key Bond
George N. Briggs
Jesse A. Bynum
William B. Calhoun
William B. Campbell
John Campbell
John Chambers
John C. Clark
Henry W. Connor
George W. Crabb
Robert B. Cranston
William C. Dawson

Mr. Edward Davies
John Dennis
John Edwards
Franklin H. Elmore
Millard Fillmore
Rice Garland
Joshua R. Giddings
Thomas Glascock
Patrick G. Goode
James Graham
William Halsted
Robert H. Hammond
Thomas L. Hamer
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Hopkins Holsey
George W. Hopkins
Jabez Jackson
John P. Kennedy

Mr. Levi Lincoln
James M. Mason
Samson Mason
Abram P. Maury
John P. B. Maxwell
James J. McKay
Richard H. Menck
Charles F. Mercer
John Miller
Charles F. Mitchell
William Montgomery
Calvary Morris
Amasa J. Parker
James A. Pearce
Isaac S. Pennybaker
David Potts, jr.
Zadock Pratt
Sergeant S. Prentiss
Harvey Putnam
James Riden
Joseph P. Randolph
Abraham Rencher

Mr. Joseph Ridgway
Francis E. Rives
John Robertson
Edmund Rumsey
David Russell
Daniel Sheffer.
Mark H. Sibley
William W. Southgate

Mr. Edward Stanly
Archibald Stuart
Charles C. Stratton
Henry Swearingen
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Isaac Toucey

Mr. Hopkins L. Turney
Joseph R. Underwood
John White
Lewis Williams
Jared W. Williams
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John W. Allen
John T. Andrews
Cyrus Beers
Bennet Bicknell
Andrew Buchanan
C. C. Cambreleng
Zadok Casey
Reuben Chapman
William K. Clowney
Walter Coles
Robert Craig
Isaac E. Crary
John W. Crockett
Caleb Cushing
Samuel Cushman
George C. Dromgoole
George H. Dunn
Horace Everett
James Farrington
Richard Fletcher

Mr. Jacob Fry, jr.
James Garland
William Graham
Abraham P. Grant
John K. Griffin
Elisha Haley
Micajah T. Hawkins
Charles E. Haynes
Ogden Hoffman
Orrin Holt
Benjamin C. Howard
Robert M. T. Hunter
Thomas B. Jackson
Henry Johnson
Joseph Johnson
Nathaniel Jones
George M. Keim
Henry Logan
Arphaxed Loomis
Richard P. Marvin

Mr. Joshua L. Martin
William S. Morgan
William H. Noble
John Palmer
William Parmenter
Lemuel Paynter
David Petrikin
Arnold Plumer
John H. Prentiss
John P. Richardson
John Sergeant
Ebenezer J. Shields
Matthias Shepler
James B. Spencer
William Stone
William Taylor
Waddy Thompson, jr.
Henry Vail
Albert S. White
Archibald Yell.

The roll was then called over twice; and the following-named members, who are not absent on leave of the House, failed to answer to their names, viz:

Messrs. Hugh J. Anderson, Ratliff Boon, James W. Bouldin, John C. Brodhead, John Chaney, Timothy Childs, Jesse F. Cleveland, Charles D. Coffin, Thomas Corwin, Edward Darlington, John I. De Graff, Alexander Duncan, George Evans, Seaton Grantland, William J. Graves, William H. Hunter, Daniel Jenifer, William Cost Johnson, John W. Jones, Gouverneur Kemble, Hugh S. Legare, William L. May, Charles McClure, Mathias Morris, Samuel W. Morris, John L. Murray, Joseph C. Noyes, Virgil D. Parris, Luther C. Peck, Lancelot Phelps, John Pope, William W. Potter, John Reed, Luther Reily, R. Barnwell Rhett, Edward Robinson, Leverett Saltonstall, Augustine H. Shepperd, William Slade, Adam W. Snyder, Francis Thomas, Thomas T. Whittlesey, Joseph L. Williams, Christopher H. Williams, John T. H. Worthington.

Further proceedings in the call were then dispensed with.

And the question was put, on the motion made by Mr. Robertson, that the said bill do lie on the table;

And passed in the negative,

{ Yeas,	. . . . .	91,
{ Nays,	. . . . .	94.

The yeas and nays being desired by one-fifth of the members present
Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Herman Allen
John W. Allen
J. Banker Ayer
Richard Biddle

Mr. William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
John Calhoun
William B. Carter

Mr. John Chambers
Richard Cheatham
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing

Mr. Edward Davies
Edmund Deberry
John Dennis
George H. Dunn
John Edwards
Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore
Joshua R. Giddings
Patrick G. Goode
James Graham
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
William Halsted
Thomas L. Hamer
Alexander Harper
William S. Hastings
Richard Hawes
Thomas Henry
William Herod
Ogden Hoffman
Robert M. T. Hunter

Mr. Jabez Jackson
William Cost Johnson
John P. Kennedy
Levi Lincoln
Richard P. Marvin
Samson Mason
Abram P. Maury
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Charles F. Mitchell
Calvary Morris
Charles Naylor
Charles Oggle
James A. Pearce
David Potts, jr.
Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph
Abraham Rencher
Joseph Ridgway

Mr. John Robertson
Edward Robinson
Edward Rumsey
David Russell
John Sergeant
Ebenezer J. Shields
Mark H. Sibley
William Slade
William W. Southgate
Edward Stanly
Archibald Stuart
William Stone
Charles C. Stratton
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Joseph R. Underwood
Taylor Webster
Albert S. White
John White
Lewis Williams
Sherrod Williams
Thomas J. Word
Thomas Jones York

Those who voted in the negative are—

Mr. John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsell
Isaac H. Bronson
Andrew Buchanan
C. C. Cambreleng
William B. Campbell
John Campbell
Zadok Casey
Reuben Chapman
John C. Clark
William K. Clowney
Walter Coles
Henry W. Connor
George W. Crabb
Robert Craig
Samuel Cushman
William C. Dawson
George C. Dromgoole
Franklin H. Elmore
James Farrington
Isaac Fletcher
Henry A. Foster
Jacob Fry, jr.
Albert Gallup
James Garland
Rice Garland

Mr. Thomas Glascock
Abraham P. Grant
Hiram Gray
John K. Griffin
Elisha Haley
Robert H. Hammond
Albert G. Harrison
Micajah T. Hawkins
Charles E. Haynes
Hopkins Holsey
Orrin Holt
Benjamin C. Howard
Samuel Ingham
Henry Johnson
Joseph Johnson
Nathaniel Jones
George M. Keim
John Klingensmith, jr.
Henry Logan
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
John Miller
William Montgomery
Ely Moore
William S. Morgan
William H. Noble

Mr. Joseph C. Noyes
George W. Owens
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
Isaac S. Pennybacker
David Pettkin
Francis W. Pickens
Arnold Plumer
Zadock Pratt
John H. Prentiss
John P. Richardson
Francis E. Rives
Samuel T. Sawyer
Daniel Sheffer
Matthias Shepler
James B. Spencer
Henry Swearingen
William Taylor
Francis Thomas
Waddy Thompson, jr.
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turner
Henry Vail
Joseph Weeks
Jared W. Williams
Archibald Yell

The question then recurred on the motion that the said bill be referred to the Committee on Military Affairs;

And, after debate,

The House, on motion, proceeded to the orders of the day: when

The Speaker laid before the House a report from the Postmaster Gen-

al, communicating facts in relation to the existing contract for carrying a mail from Louisville, in Kentucky, to New Orleans, called for by the House on the 11th instant; which report was ordered to lie on the table. The Speaker laid before the House a letter from the Postmaster General, transmitting the annual report of the contracts for the transportation of the mail within the year ending July 1, 1838, with a copy of the abstract of the offers for carrying mails, agreeably to the 25th section of the act of the 2d of July, 1836; also, a statement of land and water mails established within the same year, other than those let to contract at the annual letting, with a copy of the abstract of the offers made thereon; also, report of allowances to contractors within the same year, together with report of curtailments of mail transportation and pay within the same year; also, a report of fines and deductions from the pay of contractors for the same year: which letter and statements were referred to the Committee on the Post Office and Post Roads.

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839; and finding itself without a quorum, had risen, with directions to him to report that fact to the House.

A motion was then made by Mr. Dromgoole (at a quarter past eleven o'clock at night) that the House do adjourn;

And the question being put,

It passed in the affirmative, { Yeas, 74,
 { Nays, 25.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

James Alexander, jr.
John W. Allen
J. Ranker Ayrcrigg
Linn Banks
John Bell
William Key Bond
Nathaniel B. Borden
C. C. Cambreleng
William B. Campbell
John Campbell
Zadok Casey
John Chaney
Richard Cheatham
Timothy Childs
John C. Clark
Henry W. Connor
Isaac E. Crary
Robert B. Cranston
Caleb Cushing
William C. Dawson
Thomas Davee
George C. Dromgoole
George H. Dunn
Franklin H. Elmore
Horace Everett

Mr. John Ewing
Richard Fletcher
Jacob Fry, jr.
Rice Garland
Patrick G. Goode
Seaton Grantland
George Grennell, jr.
Elisha Haley
William Halsted
Robert H. Hammond
Ogden Hoffman
William H. Hunter
Samuel Ingham
Thomas B. Jackson
John P. Kennedy
Daniel P. Leadbetter
Levi Lincoln
James J. McKay
Robert M. Cloilan
Thomas M. T. McKennan
Charles F. Mercer
William S. Morgan
Charles Naylor
Joseph C. Noyes
Charles Ogle

Mr. William Parmenter
Lemuel Paynter
Francis W. Pickens
David Potts, jr.
James Rariden
Joseph F. Randolph
John Reed
Joseph Ridgway
Francis E. Rives
Edward Robinson
David Russell
Daniel Sheffer
Matthias Shepler
William Slade
Edward Stanly
Charles C. Stratton
Henry Swearingen
John Taliaferro
Isaac Tincey
Taylor Webster
Thomas T. Whittlesey
Lewis Williams
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John C. Brodhead
Isaac H. Bronson
John Chambers
George W. Crabb
Samuel Cushman
John I. De Graff
Alexander Duncan
Abraham P. Grant
Hiram Gray

Mr. Benjamin C. Howard
Nathaniel Jones
Gouverneur Kemble
Dixon H. Lewis
Henry Logan
Richard P. Marvin
John Miller
William H. Noble

Mr. Amasa J. Parker
Virgil D. Parris
David Petrikin
Arnold Plumer
Zadock Pratt
James B. Spencer
Jared W. Williams
Archibald Yell.

And then the House adjourned until Monday next, at eleven o'clock in the forenoon.

MONDAY, FEBRUARY 25, 1839.

This being the day set apart, by the 20th rule, for calling on the members by States for resolutions,

A motion was made by Mr. Cambreleng, that the said rule be suspended for this day, and that the committees be called for reports;

And, on the question that the House do agree to this motion,
It passed in the affirmative, two-thirds voting therefor.

Mr. Stuart, from the Committee of Claims, made an unfavorable report on the case of James Young, of Virginia; which report was ordered to lie on the table.

Mr. Russell, from the Committee of Claims, made a report on the case of Joseph H. Walters; which was read: when it was

Resolved, That the Committee of Claims be discharged from the further consideration of the memorial of Joseph H. Walters, and that the same be referred to the Secretary of War to ascertain the extent of the injury set forth in the memorial, the appropriate means of redress, and the effects which the efforts of the Government to improve the navigation of Cape Fear river, in North Carolina, are likely to produce upon the rice plantations bordering upon the said river; and that he make report thereof at the next session of Congress.

Mr. Russell, from the Committee of Claims, made a report on the case of Daniel Steenrod, accompanied by a bill (No. 1162) for his relief: which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Russell, from the Committee of Claims, made a report on the case of William P. Rathbone, accompanied by a bill (No. 1163) for his relief: which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Chambers, from the Committee of Claims, made an unfavorable report on the case of William Thomas; which report was ordered to lie on the table.

Mr. Giddings, from the Committee of Claims, made unfavorable reports on the cases of John M. Pounds and William H. Spiller; which reports were ordered to lie on the table.

Mr. Giddings, from the Committee of Claims, to which was referred the bill from the Senate (No. 185) entitled "An act for the relief of Gad Humphreys, of the Territory of Florida," reported the same with amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Cushman, from the Committee on Commerce, to which was referred the bill from the Senate (No. 130) entitled "An act for the relief of Elisha Eldridge," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. Cushman, from the Committee on Commerce, reported a bill (No. 1164) explanatory of an act entitled "An act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and making surveys for the year 1839," passed 7th July, 1838; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Cushman, from the Committee on Commerce, reported a bill (No. 1165) making appropriations for repairing certain public works; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Casey, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 136) entitled "An act authorizing the relinquishment of the sixteenth sections granted for the use of schools, and the entry of other lands in lieu thereof," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Casey,

Ordered, That the Committee on the Public Lands be discharged from the further consideration of the bill from the Senate (No. 50) entitled "An act for the relief of Sebastian Butcher, and the heirs and legal representatives of Bartholomew Butcher, Michael Butcher, and Peter Bloom;" and that said bill be referred to the Committee on Private Land Claims.

Mr. Casey, from the Committee on Private Land Claims, to which was referred the joint resolution from the Senate (No. 11) "authorizing certain certificates of deposit to be cancelled and reissued," reported the same without amendment.

Ordered, That the said resolution be read a third time to-day.

The said resolution was then read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Word, by leave, presented a memorial of the Legislature of the State of Mississippi, praying the establishment of the mail routes and post offices therein mentioned; which memorial was read, and laid on the table.

Mr. Word, by leave, presented a resolution of the Legislature of the State of Mississippi for the establishment of a mail route in stages from Mississippi city to Jackson city, and that the Mississippi mail may be distributed at Mobile instead of New Orleans; which resolution was ordered to lie on the table.

Mr. Word, by leave, presented a petition of David G. Hardy, praying additional compensation for transporting the United States mail; which petition was referred to the Committee on the Post Office and Post Roads.

Mr. Chapman, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 135) entitled "An act for the relief

of certain settlers on the public lands, who were deprived of the benefits of the act granting pre-emption rights, which was approved on the 19th of June, 1834," reported the same with an amendment.

A motion was made by Mr. Lincoln that said bill be committed to the Committee of the Whole House on the state of the Union: pending which, it was ordered, on motion of Mr. L. Williams, that the said bill do lie on the table.

Mr. Loomis, from the Committee on the Public Lands, to which was referred the bill from the Senate (No. 22) entitled "An act to authorize John E. Metcalf and others to locate certain pre-emption claims to land in Indiana," reported the same with amendment.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

Mr. Loomis, from the Committee on the Public Lands, to which was referred the resolutions of the Legislature of the State of Illinois, together with sundry memorials relating to the propriety of passing a prospective pre-emption law, made a report, accompanied by a bill (No. 1166) to secure to actual settlers on public land the right to purchase their own improvements, when offered for sale, in preference to others; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Loomis, from the Committee on the Public Lands, reported a bill (No. 1167) authorizing the issuing of land scrip to satisfy military bounty land warrants; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Bouldin, from the Committee for the District of Columbia, to which was referred the bill from the Senate (No. 279) entitled "An act supplemental to the 'Act granting certain city lots to the corporation of the Columbian College for the purposes therein mentioned,' approved 14th day of July, 1832," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

The said bill was then read the third time;

And on the question, Shall it pass?

It passed in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Toucey, from the Committee on the Judiciary, to which was referred the bill from the Senate (No. 265) entitled "An act to prevent the abatement of suits and actions now pending in which the Bank of Columbia, in Georgetown, may be a party," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

The said bill was then read the third time;

And on the question, Shall it pass?

It passed in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Toucey, from the Committee on the Judiciary, to which was referred the bill from the Senate (No. 100) "to abolish imprisonment for debt in certain cases," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

The said bill was then read the third time;

And on the question, Shall it pass?

It passed in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Toucey, from the Committee on the Judiciary, to which was referred the bill (No. 1063) to amend an act entitled "An act establishing circuit courts and abridging the jurisdiction of the district courts in the districts of Kentucky, Tennessee, and Ohio," approved February 24, 1807, reported an amendatory bill, to authorize the circuit courts of the United States to appoint their own clerks, and to regulate the fees of the clerks in the States of Louisiana and Alabama; which bill was committed to the Committee of the Whole House on the state of the Union.

Mr. Martin, from the Committee on the Judiciary, to which the subject was referred on the 14th of January, reported a bill (No. 1168) to change the terms of the circuit court for the eastern district of Louisiana and the southern district of Alabama; which bill was read the first and second time, and ordered to lie on the table.

Mr. Beirne, by leave, presented a petition of inhabitants of the county of Greenbrier, in the State of Virginia, praying the establishment of a mail route from the Blue Sulphur Springs to Palestine; which petition was referred to the Committee on the Post Office and Post Roads.

Mr. Reed, by leave, presented a petition of inhabitants of the county of Barnstable, in the State of Massachusetts, praying that a light-boat may be placed on the east end of the Pollock rip, so as to facilitate and render safe the navigation over Nantucket shoals; which petition was referred to the Committee on Commerce.

Mr. Richard Fletcher, from the Committee on Private Land Claims, to which was referred, on the 5th of February instant, the bill from the Senate (No. 43) entitled "An act to continue in force the act for the final adjustment of private land claims in Missouri, approved 9th July, 1832, and the act supplemental thereto, approved 2d March, 1833," with certain instructions set forth in the journal of the 5th instant, reported the said bill with amendments.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

Mr. May, from the Committee on Private Land Claims, to which was referred the bill from the Senate (No. 167) entitled "An act to confirm the title to a certain tract of land in the county of Mobile," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow.

Mr. May, from the Committee on Private Land Claims, to which was referred the bill from the Senate (No. 253) entitled "An act for the relief of Daniel Marsaque," reported the same without amendment.

Ordered, That the said bill do lie on the table.

Mr. McKay, from the Committee on Military Affairs, reported a bill (No. 1169) for the erection of certain military works on the Northeast frontier of the United States; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Howard, by leave, presented a memorial of the corporation of the city of Baltimore, praying that further appropriations may be made for the improvement of the navigation into the harbor of that city; which memorial was referred to the Committee of the Whole House on the state of the Union.

Mr. Howard, from the Committee on Foreign Affairs, to which were referred, on the 14th December last, sundry resolutions of the Legislature of the State of Maine, in relation to the commercial intercourse between the United States and the British provinces of Nova Scotia and New Brunswick, and sundry petitions and memorials from citizens of Maine upon the same subject, made a report thereon, recommending the adoption of the following resolutions:

Resolved, That the Secretary of the Treasury be directed to report to the House of Representatives, as early as practicable at the next session of Congress, whatever information there may be accessible to his Department, to show the effect and operation of the existing arrangements between the United States and Great Britain, regulating the trade between this country and the British American colonies, and especially in regard to the following points, viz :

1. Into what ports and places of the British colonies in the West Indies and elsewhere in America, the vessels of the United States are admitted on the same terms that the British vessels are admitted into all the ports of the United States ; and for the importation or exportation of what description of merchandise.

2. Whether the ports of the British colonies have been opened to the vessels of the United States, and continue open, in the true sense of the act of Congress of May 29, 1830, and of the proclamation of the President of the United States of October 5, 1830, founded on said act.

3. The relative amount of tonnage, British and American, entered and cleared, for each of the several years, from 1828 to 1838, inclusive, in the ports of the United States.

The said resolution was read, and agreed to by the House.

Mr. Morgan, from the Committee on Revolutionary Pensions, reported a bill (No. 1170) for the relief of Jacob Adams, of Massachusetts ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Morgan,

Ordered, That leave be given to withdraw the petition and papers of Martha Ingersoll.

Mr. Joseph Johnson, from the Committee on Revolutionary Pensions, reported a bill (No. 1171) for the relief of Elisha Bentley ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Whittlesey, from the Committee on Revolutionary Pensions, to which was referred the bill from the Senate (No. 98) entitled "An act for the relief of Joseph Bassett," reported the same without amendment.

Ordered, That the said bill be committed to a Committee of the Whole House to-morrow

Mr. Whittlesey, from the Committee on Revolutionary Pensions, made an unfavorable report on the case of Jacob White ; which report was ordered to lie on the table.

Mr. Childs, from the Committee on Revolutionary Pensions, made a report on the case of Elnathan Sears, accompanied by a bill (No 1172) for his relief ; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Fry, from the Committee on Revolutionary Pensions, made a report on the case of Christian Brower, accompanied by a bill (No. 1173) ;

granting him a pension; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

Mr. Fry, from the Committee on Revolutionary Pensions, to which was referred the bill from the Senate (No. 12) entitled "An act to establish a pension agency at Montpelier, in the State of Vermont," reported the same with an amendment.

Ordered, That said bill be committed to a Committee of the Whole House to-morrow.

Mr. Fry, from the Committee on Revolutionary Pensions, made an unfavorable report on the case of Margaret Wade; which report was laid on the table.

On motion of Mr. Herod,

Ordered, That the Committee on Invalid Pensions be discharged from the further consideration of the case of Jacob Boston, and that it be referred to the Committee on Naval Affairs.

Mr. Pratt, from the Committee on Public Buildings and Grounds, to which the subject was referred on the 11th instant, made a report on the subject of the material to be used in the construction of the walls of public buildings in the city of Washington; which report was ordered to lie on the table.

Mr. Mercer, from the Committee on Roads and Canals, to which was referred the memorial of sundry citizens of the United States praying that a liberal appropriation may be made by Congress for the purpose of improving the navigation of the river Ohio, made a report thereon; which was committed to the Committee of the Whole House on the state of the Union.

Mr. Sawyer, from the Committee on Expenditures on the Public Buildings, made a report in relation to the expenditures on public buildings in the year 1838; which report was ordered to lie on the table.

Mr. Jenifer, from the Select Committee to which was referred so much of the President's message as relates to the tobacco trade with foreign nations, made a report; which was read, and laid on the table; and, on motion of Mr. Howard, 5,000 copies extra were ordered to be printed.

Mr. Lincoln, from the Committee on Public Buildings and Grounds, which was instructed, on the 11th instant, to inquire into the expediency of having the public buildings hereafter to be erected built of either marble or granite, instead of sand-stone, and to report which material is the most durable and economical, and the several prices at which each can be furnished, submitted to the House sundry papers on the subject; which were laid on the table.

On motion of Mr. Sergeant,

The House proceeded to the consideration of the bill from the Senate (No. 229) entitled "An act in amendment of acts respecting the judicial system of the United States;" and the said bill was read the third time, and the question was stated that it do pass; when

A motion was made by Mr. Everett that the bill be committed to the Committee of the Whole House on the state of the Union, with instructions to strike out the second section thereof; when

The previous question was moved by Mr. Cambreleng, and was demanded by a majority of the members present.

And then a motion was made by Mr. Everett that the said bill do lie on the table; which being decided in the negative,

The previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the bill pass?

And passed in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839; and that the committee, finding itself without a quorum, had risen, and directed him to report that fact to the House.

A call of the House was then moved by Mr. Grant; and the question being put, it was decided in the negative.

A quorum having appeared,

The House again resolved itself into the Committee of the Whole on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee, again finding itself without a quorum, had risen, and directed him to report that fact to the House.

And then, at one o'clock at night, the House adjourned until Tuesday, eleven o'clock in the forenoon.

TUESDAY, FEBRUARY 26, 1839.

The House resumed the consideration of the resolutions reported on the 7th of February instant by Mr. William Cost Johnson, of Maryland, from the Select Committee appointed on the 29th of December, 1838, on a report from the Secretary of the Treasury, containing information respecting the donations of public land, the quantity surveyed, the plans for dividing the same or the proceeds thereof, with other information connected with the public lands.

The question recurred on the motion made by Mr. Robertson, of Virginia, on the 7th instant, to amend the said resolutions;

And, after debate,

A motion was made by Mr. Sherrod Williams, that the said resolutions do lie on the table; which motion was agreed to by the House.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined an enrolled bill (No. 440) entitled "An act for the relief of the legal representatives of Thomas Glascock, deceased," and found the same to be truly enrolled; when

The Speaker signed the said bill.

A motion was made by Mr. Sherrod Williams, that the House do reconsider the vote of yesterday, which ordered the bill from the Senate (No. 135) for the relief of certain settlers on the public lands who were deprived of the benefits of the act granting pre-emption rights, which was approved the 19th June, 1834, to lie on the table.

The Speaker laid before the House a letter from the Secretary of War, transmitting a report of the Chief Engineer in relation to the improvements of Little Egg Harbor, together with several documents therein referred to,

called for by a resolution of the House of the 14th ultimo; which report and documents were ordered to lie on the table.

Mr. Jenifer submitted the following resolution; which was read, and the rule which requires the same to lie upon the table one day being dispensed with, the same was considered and agreed to:

Resolved, That the President of the United States be requested to furnish this House with a copy of a despatch from Mr. Stevenson, our minister at London, dated the 18th of January last, and received at the Department of State on the 18th instant, on the subject of our tobacco trade with Great Britain, or so much thereof as he deems proper; and that said communication be appended to the report of the Select Committee on the tobacco trade.

Bills from the Senate of the following titles, viz:

No. 85. An act to explain and amend the fifth section of the act passed the 13th of June, 1834, for the better organization of the United States marine corps;

No. 176. An act to grant the right of pre-emption to a quantity of land to aid in the construction of a railroad from New Albany, in the State of Indiana, to Mount Carmel, in the State of Illinois; were severally read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States an enrolled bill of the following title, viz:

No. 440. An act for the relief of the legal representatives of Thomas Glascock, deceased.

Mr. Dawson, from the Select Committee to which was referred the memorial of Matthew St. Clair Clarke, agent for the State of Georgia, claiming the liquidation and payment of a United States certificate of revolutionary debt, made a report, accompanied by a bill (No. 1174) authorizing the settlement and payment of the claim of the State of Georgia; which bill was read the first and second time, and committed to a Committee of the Whole House to-morrow.

On motion of Mr. Cambreleng,

The rules in relation to the order of business were suspended by a vote of two-thirds; and

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839, and had come to no resolution thereon.

A message, in writing, was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary, which was read, and is as follows:

To the House of Representatives:

I lay before Congress several despatches from his excellency the Governor of Maine, with enclosures, communicating certain proceedings of the Legislature of that State, and a copy of the reply of the Secretary of State, made by my direction, together with a note from H. S. Fox, Esq., envoy

extraordinary and minister plenipotentiary of Great Britain, with the answer of the Secretary of State to the same.

It will appear from these documents, that a numerous band of lawless and desperate men, chiefly from the adjoining British provinces, but without the authority or sanction of the Provincial Government, had trespassed upon that portion of the territory in dispute between the United States and Great Britain which is watered by the river Aroostook, and claimed to belong to the State of Maine; and that they had committed extensive depredations there, by cutting and destroying a very large quantity of timber. It will further appear that the Governor of Maine, having been officially apprized of the circumstance, had communicated it to the Legislature, with a recommendation of such provisions, in addition to those already existing by law, as would enable him to arrest the course of said depredations, disperse the trespassers, and secure the timber which they were about carrying away; that, in compliance with a resolve of the Legislature, passed in pursuance of his recommendation, his excellency had despatched the land agent of the State, with a force deemed adequate to that purpose, to the scene of the alleged depredations, who, after accomplishing a part of his duty, was seized by a band of the trespassers, at a house claimed to be within the jurisdiction of Maine, whither he had repaired for the purpose of meeting and consulting with the land agent of the province of New Brunswick, and conveyed as a prisoner to Frederickton, in that province, together with two other citizens of the State, who were assisting him in the discharge of his duty.

It will also appear that the Governor and Legislature of Maine, satisfied that the trespassers had acted in defiance of the laws of both countries, learning that they were in possession of arms, and anticipating (correctly, as the result has proved) that persons of their reckless and desperate character would set at naught the authority of the magistrates, without the aid of a strong force, had authorized the sheriff, and the officer appointed in the place of the land agent, to employ, at the expense of the State, an armed posse, who had proceeded to the scene of these depredations, with a view to the entire dispersion or arrest of the trespassers, and the protection of the public property.

In the correspondence between the Governor of Maine and Sir John Harvey, Lieutenant Governor of the province of New Brunswick, which has grown out of these occurrences, and is likewise herewith communicated, the former is requested to recall the armed party advanced into the disputed territory for the arrest of trespassers, and is informed that a strong body of British troops is to be held in readiness to support and protect the authority and subjects of Great Britain in said territory. In answer to that request, the Provincial Governor is informed of the determination of the State of Maine to support the land agent and his party in the performance of their duty; and the same determination, for the execution of which provision is made by a resolve of the State Legislature, is communicated by the Governor to the General Government.

The Lieutenant Governor of New Brunswick, in calling upon the Governor of Maine for the recall of the land agent and his party from the disputed territory, and the British minister, in making a similar demand upon the Government of the United States, proceed upon the assumption that an agreement exists between the two nations, conceding to Great Britain, until the final settlement of the boundary question, exclusive possession

of, and jurisdiction over, the territory in dispute. The important bearing which such an agreement, if it existed, would have upon the condition and interests of the parties, and the influence it might have upon the adjustment of the dispute, are too obvious to allow the error upon which this assumption seems to rest, to pass for a moment without correction. The answer of the Secretary of State to Mr. Fox's note will show the ground taken by the Government of the United States upon this point. It is believed that all the correspondence which has passed between the two Governments upon this subject has already been communicated to Congress, and is now on their files. An abstract of it, however, hastily prepared, accompanies this communication. It is possible that in thus abridging a voluminous correspondence, commencing in 1825, and continuing to a very recent period, a portion may have been accidentally overlooked; but it is believed that nothing has taken place which would materially change the aspect of the question as therein presented. Instead of sustaining the assumption of the British functionaries, that correspondence disproves the existence of any such agreement. It shows that the two Governments have differed not only in regard to the main question of title to the territory in dispute, but with reference also to the right of jurisdiction, and the fact of the actual exercise of it in different portions thereof. Always aiming at an amicable adjustment of the dispute, both parties have entertained, and repeatedly urged upon each other, a desire that each should exercise its rights, whatever it considered them to be, in such a manner as to avoid collision, and allay, to the greatest practicable extent, the excitement likely to grow out of the controversy. It was in pursuance of such an understanding that Maine and Massachusetts, upon the remonstrance of Great Britain, desisted from making sales of lands; and the General Government, from the construction of a projected military road in a portion of the territory of which they claimed to have enjoyed the exclusive possession; and that Great Britain, on her part, in deference to a similar remonstrance from the United States, suspended the issue of licenses to cut timber in the territory in controversy, and also the survey and location of a railroad through a section of country over which she also claimed to have exercised exclusive jurisdiction.

The State of Maine had a right to arrest the depredations complained of; it belonged to her to judge of the exigency of the occasion calling for her interference; and it is presumed, that had the Lieutenant Governor of New Brunswick been correctly advised of the nature of the proceedings of the State of Maine, he would not have regarded the transaction as requiring, on his part, any resort to force. Each party claiming a right to the territory, and hence to the exclusive jurisdiction over it, it is manifest that, to prevent the destruction of timber by trespassers, acting against the authority of both, and at the same time avoid forcible collision between the contiguous Governments during the pendency of negotiations concerning the title, resort must be had to the mutual exercise of jurisdiction in such extreme cases, or to an amicable and temporary arrangement as to the limits within which it should be exercised by each party. The understanding supposed to exist between the United States and Great Britain has been found heretofore sufficient for that purpose, and I believe will prove so hereafter, if the parties on the frontier, directly interested in the question, are respectively governed by a just spirit of conciliation and forbearance. If it shall be found, as there is now reason

to apprehend, that there is, in the modes of construing that understanding by the two Governments, a difference not to be reconciled, I shall not hesitate to propose to her Britannic Majesty's Government a distinct arrangement for the temporary and mutual exercise of jurisdiction, by means of which similar difficulties may in future be prevented.

But, between an effort on the part of Maine to preserve the property in dispute from destruction by intruders, and a military occupation by that State of the territory, with a view to hold it by force, while the settlement is a subject of negotiation between the two Governments, there is an essential difference, as well in respect to the position of the State as to the duties of the General Government. In a letter addressed by the Secretary of State to the Governor of Maine, on the 1st of March last, giving a detailed statement of the steps which had been taken by the Federal Government to bring the controversy to a termination, and designed to apprise the Governor of that State of the views of the Federal Executive in respect to the future, it was stated, that while the obligations of the Federal Government to do all in its power to effect the settlement of the boundary question were fully recognised, it had, in the event of being unable to do so specifically, by mutual consent, no other means to accomplish that object amicably than by another arbitration, or by a commission with an umpire in the nature of an arbitration; and that, in the event of all other measures failing, the President would feel it his duty to submit another proposition to the Government of Great Britain to refer the decision of the question to a third Power. These are still my views upon the subject; and, until this step shall have been taken, I cannot think it proper to invoke the attention of Congress to other than amicable means for the settlement of the controversy, or to cause the military power of the Federal Government to be brought in aid of the State of Maine, in any attempt to effect the object by a resort to force.

On the other hand, if the authorities of New Brunswick should attempt to enforce the claim of exclusive jurisdiction set up by them, by means of a military occupation on their part, of the disputed territory, I shall feel myself bound to consider the contingency provided by the constitution as having occurred, on the happening of which a State has the right to call for the aid of the Federal Government to repel invasion.

I have expressed to the British minister near this Government a confident expectation that the agents of the State of Maine, who have been arrested under an obvious misapprehension of the object of their mission, will be promptly released; and to the Governor of Maine, that a similar course will be pursued in regard to the agent of the province of New Brunswick. I have also recommended that any militia that may have been brought together by the State of Maine, from an apprehension of a collision with the Government or people of the British province, will be voluntarily and peaceably disbanded.

I cannot allow myself to doubt that the results anticipated from these representations will be seasonably realized. The parties more immediately interested cannot but perceive that an appeal to arms, under existing circumstances, will not only prove fatal to their present interests, but would postpone, if not defeat, the attainment of the main objects which they have in view. The very incidents which have recently occurred will necessarily awaken the Governments to the importance of promptly adjusting a dispute, by which it is now made manifest that the peace of

the two nations is daily and imminently endangered. This expectation is further warranted by the general forbearance which has hitherto characterized the conduct of the Governments and people on both sides of the line. In the uniform patriotism of Maine, her attachment to the Union, her respect for the wishes of the people of her sister States, (of whose interest in her welfare she cannot be unconscious,) and in the solicitude felt by the country at large for the preservation of peace with our neighbors, we have a strong guaranty that she will not disregard the request that has been made of her.

As, however, the session of Congress is about to terminate, and the agency of the Executive may become necessary during the recess, it is important that the attention of the Legislature should be drawn to the consideration of such measures as may be calculated to obviate the necessity of a call for an extra session. With that view, I have thought it my duty to lay the whole matter before you, and to invite such action thereon as you may think the occasion requires.

M. VAN BUREN.

WASHINGTON, *February 26, 1839.*

A motion was made by Mr. Howard, that the said message be referred to the Committee on Foreign Affairs;

And, after debate,

The previous question was moved by Mr. Whittlesey; and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the said message be referred to the Committee on Foreign Affairs?

And passed in the affirmative.

And it was then

Ordered, That the Committee on Foreign Affairs have leave to sit during the session of the House.

Mr. Harlan, from the Select Committee appointed on the 19th of January to inquire into defalcations of public officers, moved that the rules in relation to the order of business be suspended, to enable him to make a report from said committee; when

A call of the House was moved by Mr. Petrikin, which was decided in the negative.

And the question was put, Shall the rule be suspended for the purpose aforesaid? When

There appeared,	{ Yeas,	. . . . .	88,
	{ Nays,	. . . . .	59.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
J. Banker Aycrigg
John Bell
Richard Biddle
Nathaniel B. Borden
George N. Briggs
Andrew Buchanan
William B. Campbell

Mr. John Campbell
John Chambers
Richard Cheatham
John C. Clark
Charles D. Coffin
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett

Mr. Edward Curtis
Caleb Cushing
William C. Dawson
Edward Davies
George H. Dunn
George Evans
Horace Everett
John Ewing
Richard Fletcher

Mr. Millard Fillmore
 Jacob Fry, jr.
 James Garland
 Rice Garland
 Joshua R. Giddings
 James Graham
 William Graham
 Seaton Grantland
 Hiland Hall
 William Halsted
 James Harlan
 William S. Hastings
 Thomas Henry
 George W. Hopkins
 William Cost Johnson
 Levi Lincoln
 Francis Mallory
 Richard P. Marvin
 James M. Mason
 Samson Mason
 John P. B. Maxwell

Mr. Thos. M. T. McKean
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 Calvary Morris
 Joseph C. Noyes
 Charles Ogle
 James A. Pearce
 Luther C. Peck
 John Pope
 David Potts, jr.
 Sergeant S. Prentiss
 Harvey Putnam
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 John Robertson
 Edward Robinson
 Edward Rumsey

Mr. David Russell
 Augustine H. Shepperd
 Mark H. Sibley
 William Slade
 William W. Southgate
 Edward Stanly
 Archibald Stuart
 Charles C. Stratton
 John Taliaferro
 Waddy Thompson, jr.
 Joseph L. Tillinghast
 George W. Toland
 Joseph R. Underwood
 Albert S. White
 John White
 Lewis Williams
 Joseph L. Williams
 Henry A. Wise
 Thomas J. Word
 Thomas Jones York

Those who voted in the negative are—

Mr. John W. Allen
 John T. Andrews
 Charles G. Atherton
 Linn Banks
 William Beatty
 Bennet Bicknell
 Samuel Birdsell
 Isaac H. Bronson
 Jesse A. Bynum
 C. C. Cambreleng
 Zadok Casey
 Reuben Chapman
 Walter Coles
 Henry W. Connor
 Isaac E. Crary
 Samuel Cushman
 Thomas Davee
 John I. De Graff
 Alexander Duncan
 Franklin H. Elmore

Mr. Albert Gallup
 Thomas Glascock
 Elisha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Micajah T. Hawkins
 Hopkins Holsey
 Benjamin C. Howard
 William H. Hunter
 Thomas B. Jackson
 Joseph Johnson
 Gouverneur Kemble
 Daniel P. Leadbetter
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 John Miller
 William Montgomery
 Ely Moore
 William H. Noble

Mr. William Parmenter
 Virgil D. Parris
 David Petrikin
 Francis W. Pickens
 John H. Prentiss
 Luther Reilly
 Francis E. Rives
 Daniel Sheffer
 James B. Spencer
 Henry Swearingen
 William Taylor
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 Hopkins L. Tunney
 Thomas T. Whitley
 Sherrod Williams
 Jno. T. H. Worthington
 Archibald Yell

Two-thirds not voting in the affirmative, the question was lost.

The House then again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Banks reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839; which bill he was directed to report to the House with sundry amendments.

And then, by unanimous consent, and before acting on the amendments reported from the Committee of the Whole House, the said bill was, on motion of Mr. Chambers, amended.

The amendments reported from the Committee of the Whole House on the state of the Union were then in part concurred in by the House.

A motion was made by Mr. Beatty, at ten o'clock at night, that the House do adjourn;

And the question being put,

It passed in the negative, { Yeas, 45,
 { Nays, 52.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
George N. Briggs
John C. Brodhead
Isaac H. Bronson
C. C. Cambreleng
Zadok Casey
John Chaney
Reuben Chapman
Isaac E. Cary
Samuel Cushman
William C. Dawson
John Edwards

Mr. Jacob Fry, jr.
Albert Gallup
Robert H. Hammond
Thomas B. Jackson
George M. Keim
Gouverneur Kemble
Daniel P. Leadbetter
Henry Logan
Arphaxed Loomis
James J. McKay
Robert McClellan
Charles McClure
John Miller
William Montgomery
William S. Morgan

Mr. Samuel W. Morris
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
David Potts, jr.
John H. Prentiss
Luther Reily
Francis E. Rives
James B. Spencer
William Taylor
Isaac Toucey
Hopkins L. Turney
Jared W. Williams
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
John W. Allen
John Bell
Richard Biddle
William B. Calhoun
William B. Campbell
Richard Cheatham
Timothy Childs
John C. Clark
George W. Crabb
Robert B. Cranston
Caleb Cushing
Edward Darlington
Edward Davies
Horace Everett
John Ewing
Millard Fillmore
James Garland

Mr. Rice Garland
Joshua R. Giddings
Seaton Grantland
William J. Graves
George Greenell, jr.
James Harlan
William S. Hastings
George W. Hopkins
Jabez Jackson
Daniel Jenifer
Levi Lincoln
Richard P. Marvin
John P. B. Maxwell
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
Charles Naylor

Mr. Charles Ogle
John Pope
Sergeant S. Prentiss
Harvey Putnam
Joseph F. Randolph
John Reed
John Robertson
Edward Robinson
David Russell
Ebenezer J. Shields
Mark H. Sibley
William Slade
Charles C. Stratton
Joseph L. Tillinghast
Lewis Williams
Henry A. Wise
Thomas J. Word.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have passed bills of the following titles, viz :

No. 33. An act granting a pension to David Waller ;

No. 71. An act to amend an act confirming certain land claims in the State of Michigan ;

No. 106. An act to authorize the payment of equitable commissions to the agents or attorneys of persons in whose favor awards have been made under three several treaties between the United States and certain foreign Powers, which awards have been retained in the Treasury, in payment of debts due to the United States ;

No. 132. An act for the relief of J. and W. Beeson and others ;

No. 144. An act to explain and limit the powers of the circuit court of the District of Columbia ;

No. 149. An act to revive an act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof, and for other purposes :

in which bills they ask the concurrence of this House.

And then he withdrew.

Mr. Ewing, under the order of the House of Monday, the 18th instant, presented resolutions adopted by the Legislature of Indiana, which are as follows :

STATE OF INDIANA.

Resolved by the General Assembly of the State of Indiana, That any interference in the domestic institutions of the slave-holding States of this Union, (without their consent,) either by Congress or the State Legislatures, is contrary to the compact by which these States became members of the Union.

Resolved, That any such interference is highly reprehensible, unpatriotic, and injurious to the peace and stability of the union of the States.

The said resolutions were laid upon the table under the order of the House of the 12th of December last.

Another motion was made, at twenty minutes past ten o'clock at night, that the House do adjourn; which being decided in the affirmative,

The House adjourned until to-morrow, eleven o'clock in the forenoon.

WEDNESDAY, FEBRUARY 27, 1839.

Mr. Harlan, from the Select Committee appointed on the 17th of January ultimo, to inquire and report as to defalcations of public officers, made a report; when

Mr. Owens, from the same committee, on behalf of the minority, by leave, submitted a report, containing the views of the minority upon the subject-matters of inquiry committed to said committee.

On motion of Mr. Harlan, it was

Ordered, That the said reports do lie on the table; that 5,000 copies thereof, with the journal of the committee, and 20,000 copies thereof, without the journal, be printed for the use of the House; and that the reports be printed together.

The rule being suspended for the purpose of receiving the same,

Mr. Hall, from the Select Committee appointed on the 24th of January, "to inquire into the character and amount of proof which is required by existing laws and regulations to establish claims on the United States for revolutionary services in the Virginia Continental and State line and navy, and whether any and what further legislative provisions be necessary in regard to the mode of adjusting and allowing claims for such services," made a report; when

Mr. Hall moved that the said report do lie on the table, and that it be printed.

A division of the question on this motion was moved by Mr. Taliaferro:

And the question was put, that the report do lie on the table;

And passed in the affirmative.

The question then recurred on the motion that the said report be printed; when

A motion was made by Mr. Stanly, that the motion to print do lie on the table;

And the question being put,

It passed in the negative, { Yeas, 43.
Nays, 127.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. J. Banker Ayerigg
Linn Banks
William Beatty
Andrew Beirne

Mr. Samuel Birdsell
James W. Bouldin
Isaac H. Bronson
Jesse A. Bynum

Mr. John Calhoun
Henry W. Connor
Edmund Deberry
John Dennis

r. John Ewing
 James Garland
 Thomas Glascock
 Robert H. Hammond
 Micajah T. Hawkins
 Thomas Henry
 William Herod
 Robert M. T. Hunter
 Joseph Johnson
 George M. Keim
 Daniel P. Leadbetter

Mr. Henry Logan
 James M. Mason
 Abram P. Maury
 Charles McClure
 Charles F. Mercer
 William S. Morgan
 Virgil D. Parris
 Isaac S. Pennybacker
 Sergeant S. Prentiss
 James Rariden

Mr. Francis E. Rives
 John Robertson
 Matthias Shepler
 Edward Stanly
 Archibald Stuart
 John Taliaferro
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 Archibald Yell.

Those who voted in the negative are—

r. John Quincy Adams
 James Alexander, jr.
 Heman Allen
 John W. Allen
 Hugh J. Anderson
 Charles G. Atherton
 Cyrus Beers
 Bennet Bicknell
 Richard Biddle
 William Key Bond
 Nathaniel B. Borden
 George N. Briggs
 Andrew Buchanan
 William B. Calhoun
 C. C. Cambreleng
 William B. Campbell
 William B. Carter
 Reuben Chapman
 Richard Cheatham
 Timothy Childs
 John C. Clark
 Charles D. Coffin
 George W. Crabb
 Robert Craig
 Isaac E. Cray
 Robert B. Cranston
 John W. Crockett
 Caleb Cushing
 Samuel Cushman
 Edward Darlington
 William C. Dawson
 Thomas Davee
 Edward Davies
 John I. De Graff
 John Edwards
 George Evans
 Richard Fletcher
 Isaac Fletcher
 Millard Fillmore
 Jacob Fry, jr.
 Rice Garland
 Joshua R. Giddings
 James Graham

Mr. Abraham P. Grant
 William J. Graves
 Hiram Gray
 George Grennell, jr.
 John K. Griffin
 Elisha Haley
 Hiland Hall
 William Halsted
 William S. Hastings
 Ogden Hoffman
 William H. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 Daniel Jenifer
 Henry Johnson
 Nathaniel Jones
 John P. Kennedy
 Hugh S. Legare
 Levi Lincoln
 Arphaxed Loomis
 Richard P. Marvin
 Samson Mason
 John P. B. Maxwell
 Robert McClellan
 Abraham McClellan
 Thomas M. T. McKennan
 Richard H. Menefee
 John J. Milligan
 Charles F. Mitchell
 Ely Moore
 Calvary Morris
 John L. Murray
 Charles Naylor
 Joseph C. Noyes
 Charles Ogle
 John Palmer
 Amasa J. Parker
 William Parmenter
 Lemuel Paynter
 James A. Pearce
 Luther C. Peck

Mr. David Petrikia
 Francis W. Pickens
 Arnold Plumer
 David Potts, jr.
 William W. Potter
 Zadock Pratt
 John H. Prentiss
 Harvey Putnam
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 Edward Robinson
 Edward Rumsey
 David Russell
 Samuel T. Sawyer
 Daniel Sheffer
 Augustine H. Shepperd
 Ebenezer J. Shields
 Mark H. Sibley
 William Slade
 William W. Southgate
 James B. Spencer
 Charles C. Stratton
 Henry Swearingen
 William Taylor
 Waddy Thompson, jr.
 Obediah Titus
 Isaac Toucey
 Hopkins L. Turney
 Henry Vail
 Abraham Vanderveer
 Taylor Webster
 Albert S. White
 John White
 Thomas T. Whittlesey
 Lewis Williams
 Sherrod Williams
 Jared W. Williams
 Joseph L. Williams
 John T. H. Worthington
 Thomas Jones Yorke.

The hour having expired,

The House proceeded to the orders of the day.

Mr. Cambreleng, by leave, submitted the following resolution, viz :

Resolved, That from and after this day the daily hour of meeting of this house shall be ten o'clock, and that the House will, during the remainder of the session, take a recess from three till half-past four o'clock.

And, after debate,

The previous question was moved by Mr. Cambreleng, and, being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz: Will the House agree to the said resolution?

And decided in the affirmative.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills and a resolution of the following titles, viz:

No. 100. An act to abolish imprisonment for debt in certain cases;

No. 229. An act in amendment of the acts respecting the judicial system;

No. 265. An act to prevent the abatement of suits and actions now pending, in which the Bank of Columbia, in Georgetown, may be a party;

No. 279. An act supplementary to the "Act granting certain city lots to the corporation of the Columbian College for the purposes therein mentioned," approved the fourteenth day of July, eighteen hundred and thirty-two;

No. 11. Resolution authorizing certain certificates of deposits to be cancelled and re-issued;

and found the said bills and resolution correctly enrolled; when

The Speaker signed the said bills and resolution.

The Speaker laid before the House—

I. A letter from the Secretary of War, transmitting a report of the Commissioner of Indian Affairs, in answer to the resolution of the House of the 21st January last, calling for information as to the number of Cherokee Indians now residing in North Carolina, their means of subsistence, &c.

II. A letter from the Secretary of War, transmitting reports of the commanding general of the army, and the Commissioner of Indian Affairs, which, together with document No. 78 of the House of Representatives, 2d session 25th Congress, contain the information, so far as it is in the power of that Department to furnish it, called for by a resolution of the House of the 28th ultimo, respecting the disposition made of negro and other property captured from the hostile Indians during the present war in Florida.

Ordered, That the said letters and reports do lie upon the table.

A message from the Senate, by Mr. Dickens, their Secretary.

Mr. Speaker: The Senate have passed the bill of this House (No. 896) entitled "An act making appropriations for the naval service for the year 1839," with an amendment.

The Senate have also passed bills and resolutions of the following titles, to wit:

No. 108. An act to authorize the location of the pre-emption certificates given by the register of the land office at Batesville, in Arkansas, under the act of the 26th May, 1824, on any of the public lands for sale in the State of Arkansas;

No. 109. An act to authorize the inhabitants of township eight north, range thirty-two west, in the State of Arkansas, to enter a section of land in lieu of the sixteenth section in said township, upon condition that the same is surrendered to the United States for military purposes;

No. 121. An act for the relief of John Richey;

- No. 122. An act for the relief of John L. Scott ;
 No. 123. An act for the relief of Charles A. Dole ;
 No. 143. An act for the relief of Daniel B. Bush ;
 No. 147. An act for the relief of the heirs of Francis Newman, late collector of internal revenue and direct taxes in Maryland ;
 No. 150. An act granting to certain persons therein named the right of pre-emption to a fraction of a section of land in Ottawa county, in the State of Michigan ;
 No. 157. An act for the relief of John S. Billings ;
 No. 159. An act to provide for additional clerks in the Post Office Department, and the Auditor's office connected therewith, and for other purposes ;
 No. 165. An act granting a pension to Hannah Leighton ;
 No. 166. An act for the relief of Richard Robertson ;
 No. 174. An act for the relief of the widow and other heirs at law of Alexander Hamilton, deceased ;
 No. 179. An act for the relief of John Burke ;
 No. 180. An act for the relief of Josephine Nourse ;
 No. 305. An act for the relief of parties interested in the unsettled estates of persons proceeded against as bankrupts under the former bankrupt law of the United States ;
 No. 6. Resolution to authorize the purchase of an island in the river Delaware, called the Pea-patch, and for other purposes ;
 No. 13. Resolution to establish the legal value of the pound in money of the provinces of Nova Scotia and New Brunswick, in British North America ;
 in which bills and resolutions I am directed to ask the concurrence of this House. And then he withdrew.

Mr. John Quincy Adams presented the following resolutions of the General Assembly of the State of Massachusetts, viz :

COMMONWEALTH OF MASSACHUSETTS.

In the year one thousand eight hundred and thirty-nine.

Resolves concerning the duty on salt, and the bounty to fishermen.

Resolved, That the proposed repeal of the duty on salt, and of the bounty on fishing-vessels, and the men employed in them, would be a direct violation of the faith of the nation as pledged by the act of Congress, commonly known as the compromise act ; and that such repeal would seriously injure some of the most important branches of industry in this Commonwealth, and would embarrass and distress a large portion of our most deserving citizens.

Resolved, That the Senators of this Commonwealth in Congress be instructed, and the Representatives be requested, to use their influence to oppose the passage into a law of any bill, the object of which is to repeal or reduce the duty on salt, or the bounty to fishing-vessels and the men employed in them.

Resolved, That his excellency the Governor be requested to transmit copies of these resolves to the Senators and Representatives of the Commonwealth in Congress.

House of Representatives, February 22, 1839, passed.

ROBERT C. WINTHROP, *Speaker*.

In Senate, February 22, 1839, passed.

MYRON LAWRENCE, *President*.

Approved, February 23, 1839 :

EDWARD EVERETT.

Ordered, That the said resolutions do lie on the table.

Mr. Cushman, from the Committee on Commerce, by leave, reported a bill (No. 1175) to regulate the compensation of certain officers of the customs for the year 1839; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

The House proceeded to the consideration of the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839; and the amendments reported from the Committee of the Whole House, which were not decided upon yesterday, were again read, and the first thereof was disagreed to.

The question recurred on the second, to reduce the appropriation for the Territory of Iowa; and, after debate, the hour of three o'clock arrived, and the House took a recess.

HALF-FAST FOUR O'CLOCK P. M.

The House resumed its session, and again proceeded to the consideration of the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839;

And the question recurred on the second of the excepted amendments, to wit, to reduce the appropriation for the Territory of Iowa; which was agreed to;

And, after further debate,

The previous question was moved by Mr. Cambreleng; when

A call of the House was ordered on the motion of Mr. Lewis Williams:

And, the roll being called, the following-named members failed to answer to their names, viz:

Messrs. Cyrus Beers, Richard Biddle, Ratliff Boon, Nathaniel B. Boden, Jesse A. Bynum, John Calhoon, John Campbell, William B. Carter, Reuben Chapman, Timothy Childs, Jesse F. Cleveland, William K. Clowney, Henry W. Connor, Robert B. Cranston, John W. Crockett, Edward Curtis, John I. De Graff, John Dennis, Alexander Duncan, Franklin H. Elmore, James Farrington, Henry A. Foster, Thomas Glascock, William J. Graves, Hiram Gray, John K. Griffin, Hiland Hall, Robert H. Hammond, James Harlan, Alexander Harper, Richard Haves, Micajah T. Hawkins, Charles E. Haynes, Ogden Hoffman, Orrin Holt, Benjamin C. Howard, William H. Hunter, Daniel Jenifer, Henry Johnson, John W. Jones, Gouverneur Kemble, John P. Kennedy, Hugh S. Legare, Dixon H. Lewis, Henry Logan, Joshua L. Martin, Abram P. Maury, Charles McClure, Thomas M. T. McKennan, John J. Milligan, Elly Moore, Mathias Morris, Samuel W. Morris, Calvary Morris, John L. Murray, Charles Naylor, Charles Ogle, Virgil D. Parris, James A. Pearce, Isaac S. Pennybacker, Arnold Plumer, William W. Potter, Abraham Rencher, R. Barnwell Rhett, John P. Richardson, John Robertson, Edward Rumsey, Leverett Saltonstall, John Sergeant, Daniel Sheffer, Charles Shepard, Ebenezer J. Shields, Mark H. Sibley, William Slade, Francis O. J. Smith, Adam W. Snyder, William W. Southgate, Edward Stanly, Joseph R. Underwood, Joseph Weeks, Joseph L. Williams.

The Committee of Claims and the Committee on Foreign Affairs have leave to sit during the session of the House.

Further proceedings in the call were then dispensed with;

And the previous question was demanded by a majority of the members present.

And passed in the affirmative, { Yeas, 113,
{ Nays, 47.

Mr. Amasa J. Parker
William Parmenter
Lemuel Paynter
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plummer
Zadock Pratt
John H. Prentiss
Harvey Putnam
James Rariden
Luther Reilly
Francis E. Rives
Edward Robinson
Samuel T. Sawyer
Ebenezer J. Shields
Matthias Shepler
James B. Spencer
Archibald Stuart
William Stone
Henry Swearingen
William Taylor
Joseph L. Tillinghast
Obadiah Titus
Isaac Toucey
George W. Towns
Hepkins L. Turney
Henry Vail
Abraham Vanderveer
David D. Wagoner
Taylor Webster
Albert S. White
Thomas T. Whittlesey
Sherred Williams
Jared W. Williams
John T. H. Worthington
Archibald Yell.

Mr. Edward Rumsey
John Sergeant
Augustine H. Shepperd
William W. Southgate
Edward Stanly
Charles C. Stratton
John Taliaferro
Waddy Thompson, jr.
George W. Toland
John White
Lewis Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

The main question was then put, viz : Shall the bill be engrossed, and read a third time? (the amendments reported from the Committee of the Whole, not finally acted upon, being cut off by the previous question,, And passed in the affirmative.

Ordered, That the said bill be read a third time to-day.

The said bill being engrossed, was then read the third time.

And on the question, Shall it pass?

It passed in the affirmative.

Ordered, That the Clerk request the concurrence of the Senate therein.

The amendments of the Senate to the bill (No. 896) entitled "An act making appropriations for the navy of the United States for the year 1839," were read, and committed to the Committee of the Whole House on the state of the Union.

Three messages, in writing, were received from the President of the United States, by Mr. Abraham Van Buren, his private secretary; which messages are as follows, viz :

FIRST MESSAGE.

To the House of Representatives of the United States:

I transmit to Congress copies of various other documents received from the Governor of Maine, relating to the dispute between that State and the Province of New Brunswick, which formed the subject of my message of the 26th instant; and also a copy of a memorandum signed by the Secretary of State of the United States, and her Britannic Majesty's envoy extraordinary and minister plenipotentiary near the United States, of the terms upon which it is believed that all hostile collision can be avoided on the frontier, consistently with and respecting the claims on either side.

As the British minister acts without specific authority from his Government, it will be observed that this memorandum has but the force of recommendation on the provincial authorities, and on the Government of the State.

M. VAN BUREN.

WASHINGTON, February 27, 1839.

Ordered, That the said message be referred to the Committee on Foreign Affairs.

SECOND MESSAGE.

To the House of Representatives:

In further compliance with the resolution of the House of Representatives of the 28th of January last, I communicate a report from the Secretary of War, which, with its enclosures, contains additional information called for by said resolution.*

M. VAN BUREN.

WASHINGTON, February 27, 1839.

Ordered, That said message be referred to the Committee on Foreign Affairs.

* In answer to 1st and 9th clauses of Mr. Cushing's resolution in relation to troubles in the British Provinces of Upper and Lower Canada, and to alleged violations of neutrality; and whether the Upper Canada authorities have undertaken to interdict or restrict the ordinary intercourse between said Provinces and the United States.

THIRD MESSAGE.

To the House of Representatives of the United States:

In conformity with the resolution of the House of Representatives of the 22d instant, requesting information on the subject of the existing relations between the United States and the Mexican republic, I transmit a report from the Secretary of State, to whom the resolution was referred, and the documents by which the report was accompanied.

M. VAN BUREN.

WASHINGTON, *February*, 1839.

Ordered, That the said message be referred to the Committee on Foreign Affairs.

A message from the Senate, by Mr. Dickinson, their Secretary:

Mr. Speaker: The Senate have passed bills of the following titles, viz:

No. 127. An act for the relief of James H. Ralston;

No. 247. An act for the relief of Samuel Mackay;

No. 304. An act authorizing the erection of certain light-houses and light-boats, and the establishment of certain buoys and beacon-lights; in which I am directed to ask the concurrence of this House. And then he withdrew.

The House then resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Ingham reported that the committee had, according to order, had the state of the Union generally under consideration, particularly bills of the following titles, viz:

No. 1090. An act making appropriations for preventing and suppressing Indian hostilities for the year 1839;

No. 1031. An act providing for the erection of a fire-proof building for the use of the General Post Office Department;

No. 1169. An act for the erection of certain military works on the Northeast frontier of the United States; and finding itself without a quorum, had risen, and directed him to report the fact to the House.

A motion was then made (at half-past ten o'clock at night) that the House do adjourn;

And the question being put,

It passed in the negative, { Yeas, 52,
 { Nays, 83.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
Hugh J. Anderson
J. Banker Aycrigg
John Bell
John Calhoun
John Chambers
Richard Cheatham
John C. Clark
Robert B. Cranston
William C. Dawson
Edmund Deberry
Franklin H. Elmore
Horace Everett
Jacob Fry, jr.

Mr. James Graham
Seaton Grantland
George Grennell, jr.
John K. Griffin
William Halsted
Micajah T. Hawkins
Ogden Hoffman
Robert M. T. Hunter
Nathaniel Jones
John P. Kennedy
John Klingensmith, jr.
Hugh S. Legare
Arphaxed Loomis
Richard P. Marvin

Mr. James M. Mason
Abram P. Maury
John P. B. Maxwell
Charles F. Mitchell
William Montgomery
Amasa J. Parker
David Petrikin
Francis W. Pickens
John Pope
David Potts, jr.
Sergeant S. Prentiss
Joseph F. Randolph
Abraham Rencher
Francis E. Rives

Mr. John Robertson
David Russell
Augustine H. Sheppard
Mark H. Sibley

Mr. William Slade
Charles C. Stratton
Thomas T. Whittlesey

Mr. Lewis Williams
Thomas J. Word
Thomas Jones York.

Those who voted in the negative are—

Mr. James Alexander, jr.
Heman Allen
John W. Allen
Charles G. Atherton
Linn Banks
Andrew Beirne
Nathaniel B. Borden
Isaac H. Bronson
William B. Calhoun
C. C. Cambreleng
William B. Campbell
Zadok Casey
John Chaney
Reuben Chapman
Walter Coles
Henry W. Connor
Thomas Corwin
Caleb Cushing
Samuel Cushman
Edward Darlington
Edward Davies
John I. De Graff
George C. Dromgoole
George H. Dann
George Evans
John Ewing
James Farrington
Albert Gallup

Mr. Rice Garland
Thomas Glascock
William Graham
Abraham P. Grant
Hiram Gray
Elisha Haley
Hiland Hall
William S. Hastings
William Herod
Hopkins Holey
William H. Hunter
Samuel Ingham
Thomas B. Jackson
William Cost Johnson
Gouverneur Kemble
Daniel P. Leadbetter
Dixon H. Lewis
Levi Lincoln
Francis S. Lyon
Samson Mason
James J. McKay
Robert McClellan
Thomas M. T. McKeanan
Richard H. Menafee
Charles F. Mercer
John Miller
Ely Moore
William S. Morgan

Mr. Charles Naylor
William H. Noble
Joseph C. Noyes
George W. Owens
John Palmer
William Parmenter
Virgil D. Parris
Lemuel Paynter
Zadock Pratt
Harvey Putnam
John Reed
Joseph Ridgway
Edward Robinson
Samuel T. Sawyer
Matthias Shepler
James B. Spencer
Edward Stanly
Henry Swearingen
John Taliaferro
Francis Thomas
Joseph L. Tinkham
Obadiah Titus
George W. Toland
Taylor Webster
Sherrod Williams
Jared W. Williams
Archibald Yell.

A quorum being now present,

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Ingham reported bills of the following titles, viz :

No. 1090. An act making appropriation for preventing and suppressing Indian hostilities for the year 1839;

No. 1031. An act providing for the erection of a fire-proof building for the use of the General Post Office Department :
with amendments to each.

Mr. Ingham also reported that the committee had come to no resolution on bill No. 1169, to provide for the protection and defence of the Northeastern frontier.

The amendments reported from the Committee of the Whole House to bills Nos. 1090 and 1031 were read, and severally concurred in by the House.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting, in compliance with a resolution of the House of July 10, 1832, copies of statements or returns showing the capital, circulation, discounts, specie deposits, and condition of the different State banks and banking companies, so far as received.

Ordered, That the said letter be laid upon the table,

And then, at ten minutes past eleven o'clock P. M., the House adjourned until ten o'clock to-morrow morning.

THURSDAY, FEBRUARY 28, 1839.

The House resumed the consideration of the motion pending yesterday, viz: that the report made by Mr. Hall, from the Select Committee in relation to Virginia claims on account of revolutionary services, be printed;

And, after debate, and the said report was read in part, the hour expired, and the House proceeded to the orders of the day: when

Mr. Thomas, by leave, moved the following resolution; which was read and agreed to, viz:

Resolved, That the Committee of Accounts be instructed to settle and certify the account of the members of the committee of investigation into the defalcation of Swartwout, and others, on the same principles as regulated the settlement of the accounts of the investigating committee of the late Bank of the United States.

A motion was made by Mr. De Graff that the House do reconsider the vote agreeing to the foregoing resolution;

And, on the question that the House do reconsider said vote,

It passed in the negative.

An engrossed bill (No. 892) entitled "An act making appropriation for the protection of the Northern frontier of the United States," was read the third time, and passed.

The House proceeded to the consideration of the bill (No. 1090) making appropriations for preventing and suppressing Indian hostilities for the year 1839.

A motion was made by Mr. Bell to amend said bill; which amendment was subsequently modified to read as follows:

"For paying the value of the horses and equipage of the Tennessee and other volunteers who have at any time been in the service of the United States in the Territory of Florida, and which were turned over to the Government by the order of the commanding general, or other commanding officer, (said value to be ascertained by the appraisement of said value when the volunteers entered the service,) fifty-two thousand dollars.

"And the provisions of acts approved and in force at various periods since 1812, authorizing payment for horses lost in the service of the United States by rangers, militia, and volunteers, are hereby revived and extended for two years from and after the passage of this act, and, under the action of the Third Auditor, shall be deemed to embrace all cases not already satisfied of horses lost to their owners in service as aforesaid, in battle or otherwise, when due care and diligence be rendered manifest on the part of the owner, and if the death or loss of rangers' horses shall have occurred for want of forage, it be at places where, acting in obedience to the orders of commanding officers, forage could not have been procured by proper diligence on the part of the owner.

"No payment, however, shall be made for horses or other property lost or destroyed, when the loss or destruction shall have been occasioned by the fault or neglect of the owner, or when, by the terms of the contract, the risk was upon the owner of the property."

A motion was made by Mr. Russell to amend said motion, by adding thereto as follows:

"And the valuation, where horses have been turned over to the Government, shall be made at the time they were turned over."

And, on the question to agree to this amendment,

It passed in the negative.

And the amendment proposed by Mr. Bell was then agreed to by the House.

The question was then stated, that the said bill be engrossed, and read a third time ;

And, after debate,

The previous question was moved by Mr. Petrikin, and, being demanded by a majority of the members present,

The said previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative.

The main question being put, viz : Shall the bill be engrossed, and read a third time ?

It passed in the affirmative.

Ordered, That the said bill be engrossed, and read a third time to-day.

The said bill, being engrossed, was then read the third time.

And, on the question, Shall it pass ?

It passed in the affirmative.

The rule being suspended for the purpose of receiving the same,

Mr. Cambreleng submitted the following resolution :

Resolved, (with the concurrence of the Senate,) That the 16th joint rule of the two Houses, which provides that no bill that shall have passed one House shall be sent for concurrence to the other on either of the three last days of the session, is hereby suspended, so far as respects bills of the House of Representatives of the following titles, viz :

No. 1090. A bill making appropriations for preventing and suppressing Indian hostilities for the year 1839 ;

No. 892. A bill making an appropriation for the protection of the Northern frontier ;

No. 1138. A bill to provide for taking the sixth census or enumeration of the inhabitants of the United States.

A motion was made by Mr. Sherrod Williams to amend the said resolution, by striking out all after the word "*suspended* ;" when

The previous question was moved by Mr. Shields, and, being demanded by a majority of the members present,

The said previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative.

The main question was then put, viz : Will the House agree to the resolution ? —(the amendment being set aside by the previous question,)

And passed in the affirmative.

Ordered, That the Clerk request the concurrence of the Senate in the said resolution.

Mr. Howard, from the Committee on Foreign Affairs, to which was referred, on the 26th instant, the message from the President of the United States in relation to certain proceedings on the part of the Government of the State of Maine and the authorities of the British Province of New Brunswick, in relation to the unsettled and disputed boundary between said State and Province ; and to which was also referred, yesterday, another message from the President of the United States, upon the same subject,

by leave, made a report thereon, accompanied by a bill (No. 1176) giving to the President of the United States additional powers for the defence of the United States in certain cases against invasion, and for other purposes; which bill was read the first and second time, and committed to the Committee of the Whole House on the state of the Union; and it was

Ordered, That it be made the special order of the day for to-morrow, at 11 o'clock in the forenoon, to take precedence over all other business, (two-thirds voting therefor.)

On motion of Mr. William Cost Johnson,

Ordered, That ten thousand copies extra of the two messages of the President of the United States above mentioned, and of the aforesaid report of the Committee on Foreign Affairs thereon, be printed for the use of the House.

A message was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary, notifying that the President of the United States did, on the 26th instant, approve and sign an enrolled bill (No. 440) entitled "An act for the relief of the legal representatives of Thomas Glascock."

The secretary of the President also delivered in a message, in writing, from the President.

The House then resolved itself into the Committee of the Whole House on the state of the Union, (Mr. McKennan in the chair,) and proceeded to the consideration of sundry bills; and having remained in committee until three o'clock, the committee rose, and the House took a recess.

HALF-PAST FOUR O'CLOCK.

The House resumed its session: and again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. McKennan reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 1188) to provide for taking the sixth census or enumeration of the inhabitants of the United States, with amendments; which amendments were severally concurred in by the House; and then three of the said amendments were reconsidered, and disagreed to.

The said bill was then further amended, and it was

Ordered, That the said bill be engrossed, and read a third time to-day.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed bills of this House of the following titles, viz:

No. 249. An act authorizing the settlement of the accounts of the heirs of Captain Jesse Copeland.

No. 1014. An act for the relief of Dennis Trammel.

The Senate have agreed to the resolution of this House to suspend the 16th joint rule. And then he withdrew.

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Briggs reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill from the Senate (No. 53) entitled "An act making

appropriations for the continuation of the Cumberland road," and had come to no resolution thereon.

An engrossed bill (No. 1138) entitled "An act to provide for taking the sixth census or enumeration of the inhabitants of the United States," was read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed the bill of this House (No. 968) entitled "An act to revive and extend 'An act to authorize the issuing of Treasury notes to meet the current expenses of the Government,' approved the 21st of May, 1838." And then he withdrew.

And then, at ten o'clock at night, the House adjourned until to-morrow, ten o'clock in the forenoon.

FRIDAY, MARCH 1, 1839.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz:

No. 249. An act authorizing the settlement of the accounts of the heirs of Captain Jesse Copeland;

No. 982. An act to revive and extend "An act to authorize the issuing of Treasury notes to meet the current expenses of the Government," approved May 21, 1838;

No. 1014. An act for the relief of Dennis Trammell; and found the same to be truly enrolled; when

The Speaker signed the said bills.

Mr. Noyes, from the same committee, also reported that the committee did, yesterday, present to the President of the United States enrolled bills and a resolution of the following titles, viz:

No. 100. An act to abolish imprisonment for debt in certain cases.

No. 229. An act in amendment of the acts respecting the judicial system.

No. 265. An act to prevent the abatement of suits and actions now pending, in which the Bank of Columbia, in Georgetown, may be a party.

No. 279. An act supplemental to the "Act granting certain city lots to the corporation of Columbian College, for the purposes therein mentioned," approved the 14th day of July, 1832.

No. 11. Resolution authorizing certain certificates of deposit to be cancelled and reissued.

Mr. Bouldin, from the Committee for the District of Columbia, to which was referred the joint resolution from the Senate (No. 8) "authorizing the opening of an alley, and the execution of certain deeds, in the city of Washington," reported the same without amendment.

Ordered, That the said resolution be read a third time to-day.

The said resolution was then read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Bouldin, from the Committee for the District of Columbia, to which was referred the bill from the Senate (No. 101) entitled "An act to extend the jurisdiction of the corporation of the city of Washington over the Potomac bridge," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

The said bill was then read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Bouldin, from the Committee for the District of Columbia, to which was referred the bill from the Senate (No. 273) entitled "An act to incorporate the Georgetown College, in the District of Columbia," reported the same without amendment.

Ordered, That the said bill be read a third time to-day.

The said bill was then read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A motion was subsequently made by Mr. Petrikin that the House do reconsider the vote on the passage of this bill.

The Speaker laid before the House sundry communications, viz:

I. A letter from the Treasurer of the United States, transmitting copies of his accounts, settled by the accounting officers of the Treasury for the 3d and 4th quarters of 1837, and 1st and 2d quarters of 1838.

Ordered, That the said communication do lie on the table.

II. A letter from the Secretary of War, transmitting documents numbered from 1 to 18, in obedience to a resolution of the House of the 19th ultimo, calling for a statement of the proceedings of his Department in the execution of the first and second provisions of the fourth article of the treaty of 1st November, 1837, with the Winnebago Indians, and copies of all correspondence in relation thereto.

Ordered, That the said letter and documents be referred to the Committee on Indian Affairs.

III. A letter from the Secretary of War, transmitting a report of the Commissioner of Indian Affairs, and one from the Second Auditor of the Treasury, in answer to the resolution of the 16th ultimo, calling for certain information in reference to the treaties with the Pottawatamie Indians of the 20th, 26th, and 27th of October, 1832.

Ordered, That the said letter and reports do lie on the table.

IV. A letter from the Secretary of War, transmitting reports of the Commissioner of Indian Affairs and the Second Auditor of the Treasury, in answer to a resolution of the House of the 29th of January last, calling for information relative to the execution of the treaties of 1832 and 1834 with the Chickasaw Indians, and the treaty of 1830 with the Choctaws.

Ordered, That the said letter and reports do lie on the table.

V. A letter from the Secretary of the Treasury, transmitting information, as far as received, in relation to the condition of the banks in the Territory of Wisconsin, called for by resolution of the House of the 31st of December last.

Ordered, That the said letter, &c. do lie on the table.

VI. A letter from the Secretary of the Treasury, transmitting statements showing the operations of the Mint during the year 1837; which letter and statements were ordered to lie on the table.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed sundry bills of this House, with amendments, of the following titles, to wit:

No. 238. An act for the relief of John Davlin;

No. 247. An act for the relief of Thomas T. Triplett;

No. 273. An act for the relief of John H. Pease;

No. 275. An act for the relief of Frederick Frey and company;

No. 352. An act for the relief of certain heirs and legal representatives of James Wilson, late of the town of Alexandria, in the District of Columbia;

No. 395. An act for the relief of the Springfield Manufacturing Company ;

No. 897. An act making appropriations for the support of the army for the year 1839 ;
in the amendments to which bills I am directed to ask the concurrence of this House.

The Senate have also passed bills and resolutions of this House, without amendment, of the following titles, to wit :

No. 237. An act for the relief of William W. Stevenson and Joseph Henderson.

No. 239. An act for the relief of Robert Murray.

No. 240. An act for the relief of John Wiley and Jefferson Greer.

No. 241. An act for the relief of John Whitsett.

No. 281. An act for the relief of James Middleton Tuttle, of Arkansas.

No. 348. An act for the relief of Hiner Stigermire.

No. 371. An act for the relief of Archibald R. S. Hunter.

No. 386. An act for the relief of Thomas McClelland and James Smith.

No. 397. An act for the relief of the legal representatives of Nathan Sage.

No. 398. An act for the relief of Daniel Malone.

No. 470. An act for the relief of the Louisville Savings Institution.

No. 490. An act for the relief of Samuel Dickerson.

No. 508. An act authorizing a grant of bounty land to the heirs of Bennett Shurley.

No. 519. An act for the relief of William Colt and William Donaldson.

No. 526. An act for the relief of John Randolph Clay.

No. 599. An act for the relief of John E. Alexander.

No. 602. An act for the relief of Nathaniel H. Hooe.

No. 616. An act for the relief of the legal representatives of Charles S. Walsh.

No. 663. An act for the relief of Tilford Taylor.

No. 732. An act for the relief of Nathaniel Mitchell.

No. 751. An act for the relief of Jesse E. Dow.

No. 883. An act for the relief of Messrs. Smith and Town.

No. 910. An act for the relief of Levi Chadwick.

No. 1030. An act to authorize the issuing of a register to Anthony C. Meneghetty for the sloop Sarah.

No. 39. Resolution for the relief of Abraham Wright, of New York.

No. 35. Resolution for the relief of the heirs at law of Captain Frederick M. Bell, deceased.

No. 33. Resolution for the relief of the heirs of Charles Brown, deceased.

And then he withdrew.

The message received from the President of the United States, yesterday, was read, and is as follows :

To the House of Representatives of the United States :

I herewith transmit to the House of Representatives, in answer to their resolution of the 26th instant, a report from the Secretary of State, with the document therein referred to.*

M. VAN BUREN.

WASHINGTON, D. C., February 27, 1839.

* Letter of Mr. Stevenson, minister in England, relative to the tobacco trade.

Ordered, That the said message do lie on the table, and that five thousand copies thereof, extra, be printed for the use of the House, and appended to the report of the Select Committee on the tobacco trade.

The House then, in execution of the special order of yesterday, resolved itself into the Committee of the Whole House on the state of the Union, (Mr. Lincoln in the chair,) and proceeded to the consideration of the bill (No. 1176) giving to the President of the United States additional powers, for the defence of the United States, in certain cases, against invasions, and for other purposes; and, having remained in committee until three o'clock, the committee rose, and a recess was taken until half-past four o'clock.

HALF-PAST FOUR O'CLOCK.

The House resumed its session as in Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Lincoln reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 1176) giving the President of the United States additional powers for the defence of the United States, in certain cases, against invasions; and had come to no resolution thereon.

And then, on motion of Mr. Howard, it was

Ordered, That said bill be the special order of the day for to-morrow at eleven o'clock, and that the same take precedence over all other business.

The amendments proposed by the Senate to bills of this House of the following titles, viz:

No. 877. A bill for the relief of Joseph Hernandez;

No. 238. A bill for the relief of John Davlin;

No. 247. A bill for the relief of Thomas T. Triplett;

No. 273. A bill for the relief of John H. Pease;

No. 275. A bill for the relief of Frederick Frey and company;

No. 352. A bill for the relief of the heirs and legal representatives of James Wilson, of Alexandria;

were severally read, and concurred in by the House.

Ordered, That the Clerk acquaint the Senate therewith.

The amendments of the Senate to the bill (No. 1146) entitled "An act to provide for the erection of a new jail in the city of Washington, in the District of Columbia," were read, and committed to the Committee of the Whole House on the state of the Union.

The amendments of the Senate to the bill (No. 897) making appropriations for the support of the army for the year 1839, were read, and committed to the Committee of the Whole House on the state of the Union.

The amendment of the Senate to the bill (No. 395) for the relief of the Springfield Manufacturing Company, was read, and disagreed to by the House.

Ordered, That the Clerk acquaint the Senate therewith.

The bill from the Senate, (No. 174,) entitled "An act for the relief of the widow and other heirs at law of Alexander Hamilton, deceased," was read the first and second time, and ordered to be read the third time to-day.

The said bill was then read the third time;

Mr. David Russell
Leverett Saltonstall
Ebenezer J. Shields
William W. Southgate
Edward Stanly

Mr. Francis Thomas
George W. Toland
Isaac Toucey
Hopkins L. Turney
Albert S. White

Mr. John White
Jared W. Williams
Joseph L. Williams
John T. H. Worthington
Archibald Yell.

And then the House adjourned until to-morrow, at ten o'clock in the forenoon.

SATURDAY, MARCH 2, 1839.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz :

- No. 751. An act for the relief of Jesse E. Dow ;
 - No. 732. An act for the relief of Nathaniel Mitchell ;
 - No. 663. An act for the relief of Tilford Taylor ;
 - No. 616. An act for the relief of the legal representatives of Charles S. Walsh ;
 - No. 602. An act for the relief of Nathaniel H. Hooe ;
 - No. 599. An act for the relief of John E. Alexander ;
 - No. 526. An act for the relief of John Randolph Clay ;
 - No. 519. An act for the relief of William Colt and William Donaldson.
 - No. 508. An act authorizing a grant of bounty land to Bennett Shurley.
 - No. 490. An act for the relief of Samuel Dickerson ;
 - No. 470. An act for the relief of the Louisville Savings Institution.
 - No. 398. An act for the relief of Daniel Malone ;
 - No. 397. An act for the relief of the legal representatives of Nathan Sage ;
 - No. 386. An act for the relief of Thomas McClellan and James Smith ;
 - No. 371. An act for the relief of Archibald R. S. Hunter ;
 - No. 348. An act for the relief of Hiner Stigermire ;
 - No. 281. An act for the relief of James Middleton Tuttle, of Arkansas ;
 - No. 241. An act for the relief of John Whitsett ;
 - No. 240. An act for the relief of John Wiley and Jefferson Greer ;
 - No. 239. An act for the relief of Robert Murray ;
 - No. 237. An act for the relief of William W. Stevenson and Joseph Henderson ;
 - No. 910. An act for the relief of Levi Chadwick ;
 - No. 1030. An act to authorize the issuing of a register to Anthony C. Meneghetti for the sloop Sarah ;
 - No. 883. An act for the relief of Messrs. Smith and Town ;
- also the following joint resolutions, viz :
- No. 39. Resolution for the relief of Abraham Wright, of New York ;
 - No. 35. Resolution for the relief of the heirs at law of Captain Frederick M. Bell, deceased ; and
 - No. 33. Resolution for the relief of the heirs of Charles Brown, deceased, of South Carolina ;
- and found the same to be truly enrolled ; when the Speaker signed the said bills and resolutions.
- Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz :
- No. 238. An act for the relief of John Davlin ;
 - No. 247. An act for the relief of the legal representatives of Thomas T. Triplett ;

No. 273. An act for the relief of John H. Pease;

No. 275. An act for the relief of Frederick Frey and company;

No. 352. An act for the relief of certain heirs and legal representatives of James Wilson, late of the town of Alexandria, in the District of Columbia; and

No. 877. An act for the relief of Joseph M. Hernandez;

and found the same to be truly enrolled; whereupon,

The Speaker signed the said bills.

Ordered, That three additional members be appointed of the Committee on Enrolled Bills; and

Mr. Campbell of South Carolina, Mr. Keim, and Mr. Cranston, were appointed.

On motion of Mr. Mallory,

A call of the House was ordered; and the roll being called, the following-named members failed to answer to their names, viz:

Messrs. James Alexander, jr., John W. Allen, Hugh J. Anderson, Charles G. Atherton, J. Banker Aycrigg, William Beatty, Richard Biddle, William Key Bond, Ratliff Boon, James W. Bouldin, John C. Brodhead, Jesse A. Bynum, John Calhoon, William B. Campbell, John Campbell, William B. Carter, John Chaney, Richard Cheatham, Timothy Childs, Jesse F. Cleveland, William K. Clowney, Charles D. Coffin, Walter Coles, Henry W. Connor, Isaac E. Crary, Edward Curtis, Edward Darlington, William C. Dawson, Thomas Davee, Edmund Deberry, John I. De Graff, John Dennis, Alexander Duncan, John Edwards, Franklin H. Elmore, James Farrington, Henry A. Foster, Jacob Fry, jr., Albert Gallup, James Garland, Thomas Glascock, Patrick G. Goode, Hiram Gray, John K. Griffin, Elisha Haley, Thomas L. Hamer, Alexander Harper, Richard Hawes, Charles E. Haynes, Ogden Hoffman, Hopkins Holsey, Orrin Holt, William H. Hunter, Robert M. T. Hunter, Samuel Ingham, Daniel Jenifer, Henry Johnson, Joseph Johnson, William Cost Johnson, John W. Jones, John P. Kennedy, John Klingsmith, jr., Hugh S. Legare, Daniel P. Leadbetter, Dixon H. Lewis, Henry Logan, Richard P. Marvin, James M. Mason, John P. B. Maxwell, Abraham McClellan, John J. Milligan, Charles F. Mitchell, Ely Moore, Mathias Morris, Samuel W. Morris, John L. Murray, Charles Ogle, George W. Owens, William Parmenter, Virgil D. Parris, James A. Pearce, Luther C. Peck, Isaac S. Pennybacker, Francis W. Pickens, Arnold Plumer, John Pope, William W. Potter, John H. Prentiss, Harvey Putnam, John Reed, Luther Reily, Abraham Rencher, R. Barnwell Rhett, John P. Richardson, Joseph Ridgway, Samuel T. Sawyer, Daniel Sheffer, Augustine H. Shepperd, Charles Shepard, Matthias Shepler, Mark H. Sibley, William Slade, Francis O. J. Smith, Adam W. Snyder, Edward Stauly, Henry Swearingen, Francis Thomas, Waddy Thompson, jr., Obadiah Titus, George W. Towns, Joseph R. Underwood, Henry Vail, David D. Wagener, Joseph Weeks, Thomas T. Whittlesey, John T. H. Worthington.

Further proceedings in the call were then dispensed with.

Mr. John Quincy Adams presented a petition of Jacob Latting, of Long Island, praying to be permitted to raise locust-trees in Florida, for the building of ships, as an indemnity for spoliations committed on his lawful commerce many years ago.

Mr. Word presented four resolutions of the Legislature of the State of Mississippi, instructing the Senators and requesting the Representatives

from said State in Congress to use their exertions to procure the establishment of the following post routes, to wit :

From Ellisville to Paulding, in said State ;

From Macon, in Noxubia county, Mississippi, to Gainesville, in Sumter county, in the State of Alabama ;

From Mississippi City to Natchez ;

And for a change of the mail route between the city of Jackson and the city of Natchez.

Mr. Word presented a memorial of the Legislature of the State of Mississippi, praying for the establishment of a mail route from Jackson, the seat of government of Mississippi, to Columbus, in Lowndes county, in said State.

Mr. Word presented a petition of citizens of Camden, in the county of Madison, in the State of Mississippi, praying for the extension of a mail route from Fairfield, in Alabama, to Carthage, in Mississippi.

Mr. Chaney presented a petition of citizens of Hocking county, Ohio, praying for a post route.

Mr. Miller presented two petitions of inhabitants of Jonesboro', in Saline county, State of Missouri, praying for a post route.

Mr. Miller presented a petition of citizens of Boonville, in the State of Missouri, praying for a post route.

Mr. Curtis presented a petition of Hampton Stokes, of the county of Queens, in the province of Nova Scotia, a native and late a resident of the State of Virginia, a revolutionary soldier, praying for a pension.

Mr. Miller presented a petition of Pethuel Foster, of the State of Missouri, praying for a pension, in consideration of services rendered the United States in the war of 1812 with Great Britain.

Mr. Borden presented a petition of Elenor Todd, of Mansfield, in the State of Massachusetts, widow of Archibald Todd, deceased, who was a soldier of the Revolution, praying for a pension in consideration of the services of her husband.

Mr. White, of Indiana, presented a resolution of the Legislature of the State of Indiana, requesting the Senators and Representatives from said State to procure a survey of the mouth of the Calumet river, on lake Michigan.

Mr. White, of Indiana, presented a memorial of the Legislature of the State of Indiana, praying for the improvement of a harbor at City West, on lake Michigan.

Mr. White, of Indiana, presented a petition of citizens of Fountain county, in the State of Indiana, praying for a mail route.

Mr. White, of Indiana, presented a memorial of citizens of the county of Crawford, in the State of Indiana, praying a donation of certain refuse lands to aid in the construction of the Mount Carmel and New Albany railroad.

Mr. Klingensmith presented a petition of Benoni Williams, who was a soldier in the Indian wars in the year 1790, praying for a pension.

Mr. Hamer presented petitions of citizens of Clermont, in the State of Ohio, praying for a post route.

Mr. Hamer presented a petition of inhabitants of the county of Adams, in the State of Ohio, praying for a post route.

Mr. Anderson presented a petition of citizens of Prospect, in the State

of Maine, praying an appropriation for a breakwater at the mouth of the harbor at that place.

Mr. Reed presented a petition of inhabitants of Wellfleet, in the State of Massachusetts, praying for the erection of buoys in Wellfleet bay.

Mr. Holt presented the petition of Frederick Pearl, presented heretofore December 12, 1837.

Mr. Sergeant presented a memorial of the Board of Trade of the city of Philadelphia, praying the construction of piers at Delaware City, being the eastern debouché of the Chesapeake and Delaware canal.

Mr. Toland presented memorials of merchants and others, citizens of Philadelphia, praying for an appropriation for the erection of a new custom-house for the district of Philadelphia.

Mr. Ridgway presented a memorial of citizens of the State of Ohio, praying that the Indian tribes may be protected in the enjoyment of the small remnant of the landed possessions which they now occupy in the United States.

Mr. Miller presented a memorial of the Legislature of the State of Missouri, praying that the right of pre-emption may be extended to certain citizens of the State of Missouri.

Mr. Miller presented a memorial of the Legislature of the State of Missouri, praying an alteration of the law regulating the issuing of last patents.

Mr. Miller presented a petition of half-breeds of the Sac and Fox tribes of Indians, and of agents and assignees of such half-breeds, praying the sanction of Congress to an act of the Wisconsin Legislature entitled "An act for the partition of the half-breed lands, and for other purposes."

Mr. Sergeant presented a petition of citizens of the State of Pennsylvania, praying for a great convention or congress of nations for the prevention of war.

Mr. Curtis presented a like petition of citizens of Wallingford, in the State of Connecticut.

Mr. Grennell presented a like petition of the students of Amherst college, in the State of Massachusetts.

Mr. Reed presented a petition of citizens of the county of Barnstable, in the State of Massachusetts, praying that a light-boat may be placed at the east end of the Pollock rip, northeasterly from the light-house at Nantucket point.

Mr. Everett presented a memorial of citizens of Franklin county, in the State of Vermont, praying for the repeal or modification of the act of the last session of Congress commonly called the "neutrality law."

Mr. Curtis presented a memorial of citizens of the city of New York, praying for the improvement of the Allegany river.

Mr. Spencer presented a memorial of inhabitants of the 14th Congressional district in the State of New York, praying that measures may be taken for the protection of the Northern frontier.

Mr. Robinson, of Maine, presented a petition of Jonah Morse, of Bremen, in the county of Lincoln and State of Maine, praying the allowance of the usual fishing bounty on a vessel belonging to him, which was unable to complete her voyage for reasons set forth in the petition.

Ordered, That the said several petitions do lie on the table.

Mr. Smith presented a petition of Nathaniel Waterhouse, of Scarborough.

in the State of Maine, a soldier of the revolutionary war, praying for a pension.

Mr. Marvin presented two petitions of inhabitants of Cattaraugus county, in the State of New York, praying an appropriation for the improvement of the Allegany river.

Mr. Marvin presented a petition of inhabitants of the State of New York, residing upon the northern and western frontier of said State, praying that measures may be taken for the further protection of said frontier.

Mr. Snyder presented a petition of inhabitants residing upon township 1 north, range 10 west, St. Clair county, Illinois, praying for a donation of land for the use of schools, in lieu of the sixteenth section for that purpose, which fell upon the Cahokia bottom, and said bottom being subject to private claim.

Mr. John Quincy Adams presented a petition of J. F. Meire, praying an appropriation for the purpose of enabling him to test the usefulness of his invention for propelling machinery by the exclusive aid of magnetism.

Mr. Peck presented a petition of inhabitants of the State of New York, praying for the improvement of the Allegany river.

Mr. Graves presented documents in support of the case of Harriet Barney, widow of Commodore Joshua Barney, for the continuation of her navy pension after the expiration of five years.

Mr. S. W. Morris presented a petition of citizens of Rush and Middletown, in the State of Pennsylvania, praying for a mail route.

Mr. Smith presented a petition of the guardian of Mary Chute, of Maples, in the State of Maine, widow of Thomas Chute, who was a soldier in the war of the Revolution, praying for a pension.

Mr. Whittlesey presented documents in support of the claim of Jacob Zoll, of Bennington, in the county of Fulton and State of Illinois, a revolutionary soldier, for a pension.

Mr. Whittlesey presented documents in support of the claim of John Edmonson, of Fulton county, in the State of Illinois, a revolutionary soldier, for a pension.

Mr. Crary presented three petitions of citizens of Chicago, in Illinois, and of Ottawa, in Michigan, praying for the improvement of the harbor of Port Sheldon.

Mr. Crary presented a petition of inhabitants of the State of Michigan, praying for an additional land district in Michigan, to be called the Maple-river land district.

Mr. Crary presented a memorial of the Legislature of the State of Michigan, praying an appropriation for the extension of military roads in said State.

Mr. Crary presented four resolutions of the Legislature of the State of Michigan, instructing the Senators and requesting the Representatives from said State in the Congress of the United States to use their exertions—

1st. To procure an appropriation for the construction of a steam revenue cutter to navigate lakes Erie, St. Clair, Huron, and Michigan.

2d. To procure an appropriation for the erection of a light-house at the mouth of the Clinton river, in Michigan.

3d. To procure the establishment of a marine hospital at or near the city of Detroit, in Michigan.

4th. To procure, for the benefit of the university, and other State purposes, other lands from the United States, which are unoccupied, in lieu

of those lands which were located upon the improvements of actual settlers; and to secure to such settlers their right of pre-emption to said lands, so that its benefits shall extend to the widow and children of any deceased settler.

Mr. Curtis presented a petition of merchants of the city of New York praying for a reduction of fees of the officers of the circuit and district courts of the United States for the southern district of New York.

Ordered, That the said petitions, memorials, and resolutions, do lie on the table.

On motion of Mr. Casey,

Ordered, That the Committee on the Public Lands be discharged from the consideration of Senate bill (No. 28) entitled "An act for the relief of Michael Ambrister;" and that it be committed to a Committee of the Whole House to-morrow.

Mr. Garland, of Louisiana, from the Committee on Private Land Claims, to which was referred Senate bill (No. 46) entitled "An act confirming certain land claims in Louisiana," reported the same with an amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Garland, of Louisiana, from the Committee on Private Land Claims, to which was referred Senate bill (No. 50) entitled "An act for the relief of Sebastian Butcher, and the heirs and legal representatives of Bartholomew Butcher, Michael Butcher, and Peter Bloom," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Crabb, from the Committee on Private Land Claims, to which was referred the Senate bill (No. 266) entitled "An act for the relief of the heirs of Miguel Eslava," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Connor, from the Committee on the Post Office and Post Roads, to which was referred the bill from the Senate (No. 129) entitled "An act for the relief of the Nantucket Steamboat Company," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

On motion of Mr. Connor,

Ordered, That the Committee on the Post Office and Post Roads be discharged from all petitions, memorials, and other matters upon which the committee have not reported to the House.

The bill from the Senate (No. 85) entitled "An act to explain and amend the fifth section of the act passed the 30th of June, 1834, for the better organization of the United States marine corps," was read the first and second time, and referred to the Committee on Naval Affairs.

Mr. Garland, of Louisiana, from the Committee on Private Land Claims, to which was referred Senate bill (No. 156) entitled "An act for the relief of the heirs of Madame de Lusser, and their legal representatives," reported the same with an amendment.

The said bill and amendment were read, and the amendment was concurred in by the House; when it was

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

Mr. Garland, of Louisiana, from the Committee on Private Land Claims, to which was referred the bill from the Senate (No. 214) entitled "An act to settle the title to certain tracts of land in the State of Arkansas," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

The rules being suspended for the purpose, on motion of Mr. Isaac Fletcher, The bill from the Senate (No. 256) entitled "An act in addition to an act to promote the progress of the useful arts," was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Ingham, from the Committee on Naval Affairs, to which was referred the bill from the Senate (No. 85) entitled "An act to explain and amend the fifth section of the act passed the 30th of June, 1834, for the better organization of the United States marine corps," reported the same without amendment.

Ordered, That the said bill be committed to the Committee of the Whole House on the state of the Union.

The bill from the Senate (No. 281) entitled "An act to amend the act of the 3d March, 1837, entitled 'An act supplementary to the act entitled An act to amend the judicial system of the United States, and for other purposes,'" was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

A message from the Senate, by Mr. Dickens, their Secretary :

Mr. Speaker: The Senate have been notified by the President of the United States that he did, on the 28th of February ultimo, approve and sign enrolled bills and resolution of the following titles, viz :

No. 229. An act in amendment of the acts respecting the judicial system of the United States.

No. 100. An act to abolish imprisonment for debt in certain cases.

No. 265. An act to prevent the abatement of suits and actions now pending, in which the Bank of Columbia, in Georgetown, may be a party.

No. 279. An act supplemental to the act granting certain lots to the corporation of the Columbian College, for the purpose therein mentioned, approved the 14th July, 1832.

No. 11. Resolution authorizing certain certificates of deposite to be cancelled and reissued.

On motion of Mr. Williams, of New Hampshire,

Ordered, That the Committee on Revolutionary Pensions be discharged from the petition of Samuel Whedden, and that leave be given to withdraw the same.

Mr. Williams, of New Hampshire, from the Committee on Revolutionary Pensions, made an unfavorable report on the case of Gilbert Vrooman ; which report was ordered to lie on the table.

On motion of Mr. Cushman,

Ordered, That the Committee on Commerce be discharged from the consideration of all matters which have been referred to said committee.

Mr. Cushman submitted to the House a letter from the Secretary of the Treasury to the Committee on Commerce, accompanied by a letter from the Register of the Treasury, stating the impracticability of laying before Congress, previous to the close of the present session, the annual statements of the commerce and navigation for the year 1838, and suggesting

that an order be passed by the House to authorize the transmission of the same, as soon as completed, in the recess, to the Clerk; which letter was read; when it was

Ordered, That the Secretary of the Treasury transmit said statements to the Clerk as soon as the same shall be prepared; and that, when transmitted, the same be printed; and that 10,000 additional copies thereof be also printed.

Mr. Darlington, from the Committee of Claims, made an unfavorable report on the case of Elijah S Bell; which report was ordered to lie on the table.

Mr. Chambers, from the Committee of Claims, reported the following resolution:

Resolved, That the Speaker of the House designate one member of the Committee of Claims, who is elected a member of the next Congress, whose duty it shall be, during the recess, to attend at the seat of Government, and examine all petitions, memorials, and resolutions, committed to that committee, and not acted upon at the present session, and to prepare reports thereon for the action of the Committee of Claims at the next session of Congress.

The said resolution was read; and, on motion of Mr. Dromgoole, it was ordered to lie on the table.

Mr. Casey presented a communication from Mr. Samuel Williams, chief clerk in the office of the Surveyor General at Cincinnati, assigning reasons why said office should not be removed from Cincinnati; which communication was committed to the Committee of the Whole House to which is committed the bill from the Senate (No. 37) to change the location of said office.

Mr. Shields, from the Committee on the Public Lands, made a report on the petition of citizens of Florida, in behalf of the Dade Institute; which report was ordered to lie on the table.

Mr. Shields, from the Committee on the Public Lands, made an unfavorable report on the petition of the trustees of the Alabama Female Athenæum, in the city of Tuscaloosa; which was laid on the table.

On motion of Mr. Haley,

Ordered, That leave be given to withdraw the petition of Esther Culver.

Mr. Corwin, from the Committee on the Judiciary, made a report on the inquiry which the committee were directed to make, on the 11th of February ultimo, as to fees charged by the clerk of the Supreme Court; which report was ordered to lie on the table.

Mr. Mercer, from the Committee on Roads and Canals, to which was referred the memorial of Aaron Clark, William Radcliffe, Mathew Carr, and sundry merchants and other citizens of New York and Philadelphia, praying the aid of the Government in procuring the construction of a ship canal across the isthmus of Panama, made a report thereon, recommending the adoption of the following resolution:

Resolved, That the President of the United States be requested to consider the expediency of opening, or continuing, negotiations with the Governments of other nations, and particularly with those whose territorial jurisdiction comprehends the isthmus of Panama, and to which the United States have accredited ministers or agents, for the purpose of ascertaining the practicability of opening a communication between the Atlantic and Pacific oceans, by the construction of a ship channel, or canal, across the isthmus, and of securing forever, by suitable treaty stipulations,

the free and equal right of navigating such canal, to all nations, on the payment of reasonable tolls.

The said resolution was read and agreed to; and the maps referred to in the report were ordered to be lithographed.

On motion of Mr. Shields,

Ordered, That the Committee on the Public Lands be discharged from the inquiry, ordered on the 31st December last, into the expediency of changing the law relative to the issuing, examining, and signing land patents; and whether the duties now performed by the signer of patents may not be properly assigned to the Commissioner of the General Land Office.

On motion of Mr. Thomas,

Ordered, That the Committee on the Judiciary be discharged from all matters and things to that committee referred, at the present session, upon which it has not reported.

On motion of Mr. Menefee,

Ordered, That the Committee on Patents be discharged from the consideration of the memorial of Henry M. Shreve, and that leave be given to withdraw the same.

On motion of Mr. Ridgway,

Ordered, That leave be given to withdraw the memorial of Count F. R. de Rechteren Limpurg, of the kingdom of Bavaria, an officer in the army of the United States in the war of the Revolution.

[In the notice of the presentation of this memorial the name is erroneously written Markt Einersheim.]

Mr. John Quincy Adams, from the Committee on Manufactures, made a report on the memorial of Charles Louis Fleischmann, respecting the manufacture of beet sugar; which report was ordered to lie on the table.

Mr. John Quincy Adams, from the Committee on Manufactures, to which was referred the communication of William Dawson, of Baltimore, on the propriety of a repeal of the duty on foreign cotton; also, the memorial of sailmakers, residing in the city of New York, and in various other cities of the United States; made a report, which was ordered to lie on the table.

On motion of Mr. Deberry,

Ordered, That the Committee on Agriculture be discharged from the several memorials and petitions referred to that committee, and not heretofore reported on.

On motion of Mr. John Quincy Adams,

Ordered, That the Committee on Manufactures be discharged from the several memorials and petitions, and other subjects referred to that committee, and not reported on.

Mr. Everett, by leave, submitted the following resolution:

Resolved, That the Secretary of War be directed to prepare a plan for the reorganization of the Indian department, and to report the same to this House at the next session of Congress.

The rule which requires this resolution to lie on the table one day being dispensed with, it was considered, and agreed to by the House.

Mr. Chaney, from the Committee on Indian Affairs, to which was referred, on the 7th of January, the petition of sundry citizens of Lucas and Wood counties, in the State of Ohio, for payment of claims against Otta-

wa Indians, made an adverse report thereon; which was ordered to lie on the table.

Mr. McKay, from the Committee on Military Affairs, made an unfavorable report on the petition of William Gates; which report was ordered to lie on the table.

Mr. Howard, from the Committee on Foreign Affairs, to which was referred the message of the President of the United States of the 27th of February ultimo, relating to claims of citizens of the United States of Mexico, made a report; which was ordered to lie on the table.

On motion of Mr. Dromgoole,

Ordered, That the Committee on Foreign Affairs be discharged from the petition of John Spalding, and that leave be given to withdraw the same.

Mr. Dromgoole, from the Committee on Foreign Affairs, to which were referred sundry memorials and petitions praying Congress to recognise in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti, made a report, recommending the following resolution :

Resolved, That the Committee on Foreign Affairs be discharged from the further consideration of the said memorials and petitions, and that the same be laid on the table.

Ordered, That the report do lie on the table.

Mr. Cushing, from the Committee on Foreign Affairs, to which had been referred sundry messages from the President of the United States in regard to the relations of the United States and Great Britain, reported the following resolution :

Resolved, That said messages, and the documents accompanying the same, be laid on the table, and that ten thousand extra copies of documents Nos. 181 and 183 be printed for the use of the House.

This resolution was read, and agreed to by the House.

On motion of Mr. Morgan,

Ordered, That the Committee on Revolutionary Pensions be discharged from all petitions, memorials, and resolutions which have been referred to that committee, and on which the committee have not finally acted; and that leave be given to withdraw the petition of Margaret Marshall.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States enrolled bills of the following titles :

No. 910. An act for the relief of Levi Chadwick.

No. 1030. An act to authorize the issuing of a register to Anthony C. Meneghetty for the sloop Sarah.

No. 883. An act for the relief of Messrs. Smith and Town.

No. 751. An act for the relief of Jesse E. Dow.

No. 732. An act for the relief of Nathaniel Mitchell.

No. 663. An act for the relief of Tilford Taylor.

No. 616. An act for the relief of the legal representatives of Charles S. Walsh.

No. 602. An act for the relief of Nathaniel H. Hooe.

No. 599. An act for the relief of John E. Alexander.

No. 526. An act for the relief of John Randolph Clay.

No. 519. An act for the relief of William Colt and William Donaldson.

No. 508. An act authorizing a grant of bounty land to the heirs of Ben-
t Shurley.

No. 490. An act for the relief of Samuel Dickerson.

No. 470. An act for the relief of the Louisville Savings Institution.

No. 398. An act for the relief of Daniel Malone.

No. 397. An act for the relief of the legal representatives of Nathan
ge.

No. 386. An act for the relief of Thomas McClelland and James Smith.

No. 371. An act for the relief of Archibald R. S. Hunter.

No. 348. An act for the relief of Hiner Stigermire.

No. 281. An act for the relief of James Middleton Tuttle, of Arkansas.

No. 241. An act for the relief of John Whitsett.

No. 237. An act for the relief of William W. Stevenson and Joseph
enderson.

No. 239. An act for the relief of Robert Murray.

No. 240. An act for the relief of John Wiley and Jefferson Greer.

No. 39. Resolution for the relief of Abraham Wright, of New York.

No. 35. Resolution for the relief of the heirs at law of Captain Freder-
k M. Bell, deceased.

No. 33. Resolution for the relief of the heirs of Charles Brown, de-
ased, of South Carolina.

No. 1014. An act for the relief of Dennis Tramell.

No. 982. An act to revive and extend "An act to authorize the issuing
of Treasury notes to meet the current expenses of the Government," ap-
proved May 21, 1838.

No. 249. An act authorizing the settlement of the accounts of the heirs
of Captain Jesse Copeland.

On motion of Mr. Lincoln,

Ordered, That the Committee on the Public Buildings and Grounds be
ischarged from all matters and things upon which the committee have
ot reported to the House.

Mr. Mercer, from the Select Committee appointed on the 14th January
1st, to which was referred a bill, introduced on leave by Mr. Mercer, to
alter the mode of appointing certain officers of the United States and for
other purposes, made a report, accompanied by the following resolution :

Resolved, That the President of the United States be requested to lay
before the House of Representatives, as early as convenient after the com-
encement of the next session of Congress, a list of all the officers of the
Government who derive their appointments from the nomination of the
President and concurrence of the Senate, who have been removed from
office since the 3d of March, 1789, denoting in such list their number and
grade, and the dates of their respective removals; also, a like list of the
names of those officers whose term of service being limited to four years
were not renominated to the Senate at the expiration of their commissions.

The said resolution was read, and agreed to by the House.

A motion was made by Mr. Graves that the rules in relation to the or-
der of business be suspended, to enable him to move a resolution in the
words following :

Resolved, That the Secretary of the Treasury be directed to report to
this House whether Charles J. Ingersoll, late district attorney of Phila-
delphia, has paid all or any portion of \$76,491, for which he was report-
ed a defaulter by the said Secretary, on the 17th January, 1838; and also

to furnish this House with all the accounts and demands of said Ingersoll against the Government, during the continuance or since the expiration of the time he was in office.

And on the question, Shall the rule be suspended for the purpose aforesaid?

It passed in the affirmative, two-thirds voting therefor.

The rule being thus suspended,

Mr. Graves moved his said resolution;

And on the question that the House do agree thereto,

It passed in the affirmative.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed the bill of this House (No. 981) entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1839," with amendments, in which I am directed to ask the concurrence of this House. And then he withdrew.

The amendments were read, and committed to the Committee of the Whole House on the state of the Union.

The House then, in further execution of the special order, again resolved itself into the Committee of the Whole House on the state of the Union. (Mr. Lincoln in the chair,) and proceeded to the consideration of the bill (No. 1176) giving to the President of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes; and having remained in committee until three o'clock, the committee rose, and a recess was taken until half-past four o'clock.

HALF-PAST FOUR O'CLOCK, P. M.

The House resumed its session.

On motion of Mr. Wise, it was

Resolved, That the portrait of Peyton Randolph, of Virginia, the first President of the first Congress, which assembled in Philadelphia, in the year 1774, presented to this House by Mr. Richard Randolph, on the 20th of September, 1837, be placed in the library of Congress; and that the Speaker be directed to acknowledge to Mr. Richard Randolph the acceptance of the portrait, and the disposition which has been made of it.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed the bill of this House (No. 895) entitled "An act making appropriations for the current and contingent expenses of the Indian department, and fulfilling treaty stipulations with the various Indian tribes, for the year 1839," with amendments, in which amendments I am directed to ask the concurrence of this House. And then he withdrew.

Mr. Noyes, from the Joint Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States enrolled bills, to wit:

No. 877. An act for the relief of Joseph M. Hernandez.

No. 247. An act for the relief of the legal representatives of Thomas T. Triplett.

No. 238. An act for the relief of John Davlin.

No. 352. An act for the relief of certain heirs and legal representatives of James Wilson, late of the town of Alexandria, in the District of Columbia.

No. 275. An act for the relief of Frederick Frey and company.

No. 273. An act for the relief of John H. Pease.

A message was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary, notifying that the President did, on this day, approve and sign enrolled bills of the following titles:

No. 237. An act for the relief of William W. Stevenson and Joseph Henderson.

No. 39. Resolution for the relief of Abraham Wright, of New York.

No. 35. Resolution for the relief of the heirs at law of Captain F. M. Bell, deceased.

No. 1030. An act to authorize the issuing of a register to Anthony C. Meneghetty for the sloop Sarah.

No. 910. An act for the relief of Levi Chadwick.

No. 883. An act for the relief of Messrs. Smith and Town.

No. 751. An act for the relief of Jesse E. Dow.

No. 732. An act for the relief of Nathaniel Mitchell.

No. 663. An act for the relief of Tilford Taylor.

No. 616. An act for the relief of the legal representatives of Charles S. Walsh.

No. 602. An act for the relief of Nathaniel H. Hooe.

No. 599. An act for the relief of John E. Alexander.

No. 526. An act for the relief of John R. Clay.

No. 519. An act for the relief of William Colt and William Donaldson.

No. 508. An act authorizing a grant of bounty land to the heirs of Bennett Shurley.

No. 490. An act for the relief of Samuel Dickerson.

No. 470. An act for the relief of the Louisville Savings Institution.

No. 398. An act for the relief of Daniel Malone.

No. 397. An act for the relief of the legal representatives of Nathan Sage.

No. 366. An act for the relief of Thomas McClelland and James Smith.

No. 371. An act for the relief of Archibald R. S. Hunter.

No. 348. An act for the relief of Hiner Stigermire.

No. 281. An act for the relief of James Middleton Tuttle, of Arkansas.

No. 241. An act for the relief of John Whitsett.

No. 240. An act for the relief of John Wiley and Jefferson Greer.

No. 239. An act for the relief of Robert Murray.

No. 247. An act for the relief of the legal representatives of Thomas T. Triplett.

No. 273. An act for the relief of John H. Pease.

No. 362. An act for the relief of certain heirs and legal representatives of James Wilson, late of the town of Alexandria, District of Columbia.

No. 238. An act for the relief of John Davlin.

No. 275. An act for the relief of Frederick Frey and company.

No. 877. An act for the relief of Joseph M. Hernandez.

No. 982. An act to revive and extend "An act to authorize the issuing of Treasury notes to meet the current expenses of the Government," approved May 21, 1838.

No. 1014. An act for the relief of Dennis Tramell.

No. 249. An act authorizing the settlement of the accounts of the heirs of Captain Jesse Copeland.

No. 33. Resolution for the relief of the heirs of Charles Brown, deceased, of South Carolina.

A message, in writing, was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary; which was delivered in at the Speaker's table.

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Lincoln reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill (No. 1176) giving to the President of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes; which bill he was directed to report to the House, with sundry amendments.

The said amendments were read;

And, on the question that the House do concur in the first of said amendments, viz: to strike out the second section of said bill, which is as follows:

Sec. 2. *And be it further enacted*, That, in the event of actual invasion of the territory of the United States by any foreign Power, or of imminent danger of such invasion discovered, in his opinion, to exist, before Congress can be convened to act upon the subject, the President of the United States be, and he hereby is, authorized, in addition to the present military establishment of the United States, to raise a provisional force, to be enlisted for five years, or during the continuance of hostilities with any foreign Power, not exceeding one regiment of dragoons, one regiment of artillery, two regiments of riflemen, and sixteen regiments of infantry, to be organized, in all respects, like the corresponding regiments now in service; and, also, to appoint not exceeding one major general, four brigadiers general, and not exceeding one surgeon and one assistant surgeon, for each new regiment; the regiments, general, and medical officers to be subject to the same laws and rules, and to be entitled to the same benefits of every kind, with the like corps and officers now in service. And it shall be the duty of the President to discharge the troops which may be raised by virtue of this act, whenever the occasion for them, as defined by this act, shall cease to exist—

It passed in the affirmative, { Yeas, 135,
 { Nays, 57.

The yeas and nays being desired by one-fifth of the members present. Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
Charles G. Atherton
J. Banker Aycrigg
Linn Banks
Cyrus Beers
Andrew Beirne
John Bell
Richard Biddle
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
William B. Campbell
John Campbell
William B. Carter

Mr. John Chambers
John Chaney
Reuben Chapman
Richard Cheatham
John C. Clark
Walter Coles
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Curtis
Edward Darlington
William C. Dawson
Edward Davies
Edmund Deberry
Alexander Duncan
John Edwards

Mr. Franklin H. Elmore
Horace Everett
John Ewing
James Farrington
Richard Fletcher
Millard Fillmore
Jacob Fry, jr.
James Garland
Rice Garland
James Graham
Abraham P. Grant
William J. Graves
George Grennell, jr.
John K. Griffin
Elisha Haley
Hiland Hall
William Halsted

Mr. Robert H. Hammond	Mr. Charles McClure	Mr. Leverett Saltonstall
Thomas L. Hamer	Thomas M. T. McKennan	Samuel T. Sawyer
James Harlan	Richard H. Menefee	Daniel Sheffer
William S. Hastings	Charles F. Mercer	Augustine H. Shepperd
Richard Hawes	John J. Milligan	Ebenezer J. Shields
Micajah T. Hawkins	Charles F. Mitchell	William W. Southgate
George W. Hopkins	William Montgomery	Archibald Stuart
Robert M. T. Hunter	Calvary Morris	William Stone
Samuel Ingham	John L. Murray	Charles C. Stratton
Daniel Jenifer	William H. Noble	John Taliaferro
Joseph Johnson	Charles Ogle	Francis Thomas
William Cost Johnson	John Palmer	Joseph L. Tillinghast
John W. Jones	James A. Pearce	Obadiah Titus
George M. Keim	Luther C. Peck	George W. Towns
John Klingensmith, jr.	Isaac S. Pennybacker	David D. Wagener
Dixon H. Lewis	David Petrikin	Taylor Webster
Levi Lincoln	Francis W. Pickens	Albert S. White
Henry Logan	John Pope	John White
Arphaxed Loomis	David Potts, jr.	Thomas T. Whittlesey
Francis S. Lyon	Sergeant S. Prentiss	Lewis Williams
Francis Mallory	Harvey Putnam	Sherrod Williams
Richard P. Marvin	James Rariden	Jared W. Williams
James M. Mason	Joseph F. Randolph	Christopher H. Williams
Samson Mason	Luther Reily	Henry A. Wise
Joshua L. Martin	Abraham Rencher	Thomas J. Word
John P. B. Maxwell	Joseph Ridgway	John T. H. Worthington
James J. McKay	Edward Rumsey	Archibald Yell
Abraham McClellan	David Russell	Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Hugh J. Anderson	Mr. Albert Gallup	Mr. Joseph C. Noyes
William Beatty	Hiram Gray	Amasa J. Parker
Bennet Bicknell	Albert G. Harrison	William Parmenter
Samuel Birdsall	Ogden Hoffman	Virgil D. Parris
James W. Bouldin	Orrin Holt	Lemuel Paynter
John C. Brodhead	Benjamin C. Howard	Arnold Plumer
Isaac H. Bronson	William H. Hunter	Zadock Pratt
Andrew Buchanan	Thomas B. Jackson	Francis E. Rives
Jesse A. Bynum	Henry Johnson	Edward Robinson
C. C. Cambreleng	Nathaniel Jones	John Sergeant
Zadok Casey	Gouverneur Kemble	Matthias Sheplor
Isaac E. Crary	John P. Kennedy	Francis O. J. Smith
Caleb Cushing	Hugh S. Legare	James B. Spencer
Samuel Cushman	Daniel P. Leadbetter	William Taylor
Thomas Davee	Robert McClellan	Waddy Thompson, jr.
John I. De Graff	John Miller	George W. Toland
John Dennis	Ely Moore	Isaac Toucey
George C. Dromgoole	Samuel W. Morris	Hopkins L. Turney
George Evans	Charles Naylor	Henry Vail.

The question was then put on concurring with the Committee of the Whole in inserting, in lieu of the second section, as herein stricken out, the following section:

Sec. 2. *And be it further enacted*, That the militia, when called into the service of the United States by virtue of this act, or of the act entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, repel invasions, and to repeal the act now in force for these purposes," may, if in the opinion of the President of the United States the public interest require it, be compelled to serve for a term not exceeding six months after their arrival at the place of rendezvous, in any one year, unless sooner discharged—

And passed in the affirmative.

The following section, reported from the Committee of the Whole as an amendment to said bill, was then read, viz :

Sec. 3. *And be it further enacted*, That, in the event of actual invasion of the territory of the United States by any foreign Power, or of imminent danger of such invasion, discovered, in his opinion, to exist, before Congress can be convened to act upon the subject, the President be, and he is hereby, authorized, if he deem the same expedient, to accept the services of any number of volunteers, not exceeding 50,000, in the manner provided for in an act entitled "An act authorizing the President of the United States to accept the services of volunteers, and to raise an additional regiment of dragoons or mounted riflemen," approved May 23, 1836.

A motion was made by Mr. Coles to amend this section, by striking out 50,000 and inserting 20,000; which was rejected.

And the question was then put, that the House do agree to said section,

And passed in the affirmative, { Yeas, 153,
Nays, 47.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. John Quincy Adams
John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Cyrus Beers
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
Nathaniel B. Borden
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chaney
John Chapman
Richard Cheatham
John C. Clark
Walter Coles
Henry W. Connor
Isaac E. Cray
Edward Curtis
Caleb Cushing
Samuel Cushman
Edward Darlington
William C. Dawson
Thomas Davee
John I. De Graff
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards
Franklin H. Elmore
George Evans

Mr. John Ewing
James Farrington
Richard Fletcher
Millard Fillmore
Jacob Fry, jr.
Albert Gallup
James Garland
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray
George Grennell, jr.
Elisha Haley
William Halsted
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
William S. Hastings
Micajah T. Hawkins
Thomas Henry
William Herod
Ogden Hoffman
Orrin Holt
George W. Hopkins
Benjamin C. Howard
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Daniel Jenifer
Henry Johnson
Joseph Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy

Mr. John Klingensmith, jr.
Daniel P. Leadbetter
Levi Lincoln
Henry Logan
Arphaxed Loomis
Francis Mallory
James M. Mason
Joshua L. Martin
Abram P. Maury
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Thomas M. T. McKee
Richard H. Menefee
John Miller
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
Calvary Morris
John L. Murray
Charles Naylor
William H. Noble
Joseph C. Noyes
Charles Ogle
George W. Owens
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
James A. Pearce
Isaac S. Pennybacker
David Petrikim
Arnold Plumer
John Pope
Zadock Pratt
John H. Prentiss
Luther Reily
Joseph Ridgway

Mr. Francis E. Rives
 Edward Robinson
 Edward Rumsey
 Samuel T. Sawyer
 John Sergeant
 Daniel Sheffer
 Augustine H. Shepperd
 Matthias Sheplor
 Francis O. J. Smith
 William W. Southgate

Mr. James B. Spencer
 Archibald Stuart
 William Stone
 William Taylor
 Francis Thomas
 Obadiah Titus
 George W. Toland
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney

Mr. Henry Vail
 David D. Wagener
 Taylor Webster
 Albert S. White
 Thomas T. Whittlesey
 Sherrod Williams
 Robert W. Williams
 Joseph L. Williams
 John T. H. Worthington
 Archibald Yell.

Those who voted in the negative are—

Mr. J. Banker Ayrcrigg
 John Bell
 Richard Biddle
 William Key Bond
 George N. Briggs
 William B. Calhoun
 Thomas Corwin
 George W. Crabb
 Robert B. Cranston
 John W. Crockett
 Edward Davies
 Edmund Deberry
 Horace Everett
 Rice Garland
 John K. Griffin
 Hiland Hall

Mr. Richard Hawes
 Jabez Jackson
 Hugh S. Legare
 Dixon H. Lewis
 Richard P. Marvin
 Samson Mason
 John P. B. Maxwell
 Charles F. Mercer
 John J. Milligan
 Charles F. Mitchell
 Luther C. Peck
 Francis W. Pickens
 David Potts, jr.
 James Rariden
 Joseph F. Randolph
 John Reed

Mr. Abraham Rencher
 John Robertson
 David Russell
 Leverett Saltonstall
 Ebenezer J. Shields
 William Slade
 Charles C. Stratton
 John Taliaferro
 Joseph L. Tillinghast
 John White
 Lewis Williams
 Christopher H. Williams.
 Henry A. Wise
 Thomas J. Word
 Thomas Jones Yorke.

The residue of the amendments reported from the Committee of the Whole House to the said bill were then concurred in by the House.

A motion was then made by Mr. Wise, further to amend said bill as follows: Strike out all after the enacting clause, and insert as follows:

“That the sum of \$2,000,000 is hereby appropriated, and placed at the disposal of the President, to defray any expenses which may be incurred by the employment of the naval and military forces of the United States, and such portion of the militia as he may deem necessary to be called into service, to repel or prevent any actual invasion of the territory of the United States by any foreign Power, at any time before Congress can be convened to act upon the subject; to provide for which, the Secretary of the Treasury is authorized to borrow money on the credit of the United States, and to cause to be issued certificates of stock, signed by the Register of the Treasury, for the sum to be borrowed, or any part thereof; and the same to be sold upon the best terms that may be offered, after public notice for proposals for the same: *Provided*, That no engagement or contract shall be entered into which shall preclude the United States from reimbursing any sum or sums thus borrowed after the expiration of five years from the 1st of January next; and that the rate of interest shall not exceed five per cent., payable semi-annually.

“*And be it further enacted*, That the sum of \$18,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for outfit and salary of a special minister to Great Britain: *Provided*, The President of the United States shall deem it expedient to appoint the same.”

And, after debate,

The previous question was moved by Mr. Grant; and, being demanded by a majority of the members present,

The said previous question was put, viz : Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz : Shall the bill be engrossed and read a third time?

And passed in the affirmative, { Yeas, 197,
Nays, 6.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
Hugh J. Anderson
John T. Andrews
Charles G. Atherton
J. Banker Ayrcrigg
Linn Banks
William Beatty
Cyrus Boers
Andrew Beirne
John Bell
Bennet Bicknell
Samuel Birdsall
Nathaniel B. Borden
James W. Bouldin
George N. Briggs
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
William B. Calhoun
John Calhoun
C. C. Cambreleng
William B. Campbell
John Campbell
William B. Carter
Zadok Casey
John Chambers
John Chaney
Reuben Chapman
Richard Cheatham
John C. Clark
Walter Coles
Henry W. Connor
Thomas Corwin
George W. Crabb
Isaac E. Crary
John W. Crockett
Edward Curtis
Caleb Cushing
Samuel Cushman
Edward Darlington
William C. Dawson
Thomas Davee
Edmund Deberry
John I. De Graff
John Dennis
George C. Dromgoole
Alexander Duncan
George H. Dunn
John Edwards
Franklin H. Elmore
George Evans

Mr. John Ewing
James Farrington
Richard Fletcher
Millard Fillmore
Jacob Fry, jr.
James Garland
Rice Garland
Patrick G. Goode
James Graham
William Graham
Seaton Grantland
Abraham P. Grant
William J. Graves
Hiram Gray
George Grennell, jr.
John K. Griffin
Elisha Haley
Hiland Hall
William Halsted
Robert H. Hammond
Thomas L. Hamer
James Harlan
Albert G. Harrison
William S. Hastings
Micajah T. Hawkins
Thomas Henry
William Herod
Ogden Hoffman
Orrin Holt
George W. Hopkins
Benjamin C. Howard
William H. Hunter
Robert M. T. Hunter
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Daniel Jenifer
Henry Johnson
Joseph Johnson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John P. Kennedy
John Klingensmith, jr.
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Levi Lincoln
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Richard P. Marvin

Mr. James M. Mason
Samson Mason
Joshua L. Martin
Abram P. Maury
William L. May
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
Thomas M. T. McKenna
Richard H. Menefee
Charles F. Mercer
John J. Milligan
John Miller
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
Calvary Morris
John L. Murray
Charles Naylor
William H. Noble
Joseph C. Noyes
Charles Ogle
George W. Owens
John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
James A. Pearce
Isaac S. Pennybaker
David Petrikin
Lancelot Phelps
Francis W. Pickens
Arnold Plumer
John Pope
David Potts, jr.
Zadock Pratt
John H. Prentiss
Sergeant S. Prentiss
Harvey Putnam
Joseph F. Randolph
John Reed
Luther Reily
Abraham Rencher
Joseph Ridgway
Francis E. Rives
John Robertson
Edward Robinson
Edward Rumsey
Leverett Salticrall
Samuel T. Sawyer
John Sergeant

Mr. Daniel Sheffer
Augustine H. Shepperd
Ebenezer J. Shields
Matthias Shepler
Francis O. J. Smith
William W. Southgate
James B. Spencer
Edward Stanly
Archibald Stuart
William Stone
John Taliaferro
William Taylor

Mr. Francis Thomas
Waddy Thompson, jr.
Joseph L. Tillinghast
Obadiah Titus
George W. Toland
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
David D. Wagener
Taylor Webster
Albert S. White

Mr. John White
Thomas T. Whittlesey
Lewis Williams
Sherrod Williams
Jacob W. Williams
Joseph L. Williams
Christopher H. Williams
Thomas J. Word
John T. H. Worthington
Archibald Yell
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Robert B. Cranston
Edward Davies

Mr. Joshua B. Giddings
John P. B. Maxwell

Mr. Charles C. Stratton
Henry A. Wise.

The said bill being engrossed, was then read the third time.

And the question was put, Shall it pass?

And passed in the affirmative.

A motion was made by Mr. Howard, that the House do come to the following resolution:

Resolved, That the sixteenth joint rule of the two Houses, which provides that no bill that shall have passed one House shall be sent for concurrence to the other on either of the three last days of the session, be suspended, so far as respects the bill of the House of Representatives (No. 1176) giving to the President of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes.

A motion was made by Mr. John Quincy Adams to amend the said resolution, by adding thereto the following:

“And be it further resolved by the Senate and House of Representatives, That, when they adjourn to-day, they adjourn to meet to-morrow at ten o'clock.”

And, on the question that the House do agree to the amendment moved by Mr. Adams,

It passed in the negative, { Yeas, 89,
 { Nays, 91.

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are—

Mr. John Quincy Adams
Heman Allen
Cyrus Beers
John Bell
Bennet Bicknell
Nathaniel B. Borden
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
John Calhoun
C. C. Cambreleng
William B. Campbell
William B. Carter
Reuben Chapman
Richard Cheatham
Timothy Childs
John C. Clark
Isaac E. Crary

Mr. Robert B. Cranston
Edward Curtis
Samuel Cushman
Edward Darlington
Thomas Davee
John I. De Graff
George C. Dromgoole
George Evans
John Ewing
James Garland
Rice Garland
William Graham
Seaton Grantland
Abraham P. Grant
William J. Graves
Elisha Haley
James Harlan
Albert G. Harrison
Richard Hawes
William Herod

Mr. Benjamin C. Howard
Samuel Ingham
Thomas B. Jackson
Jabez Jackson
Daniel Jenifer
Henry Johnson
Nathaniel Jones
Gouverneur Kemble
John P. Kennedy
Hugh S. Legare
Daniel P. Leadbetter
Dixon H. Lewis
Francis S. Lyon
Richard P. Marvin
Abram P. Maury
Robert McClellan
Richard H. Mcnefee
John Miller
Charles F. Mitchell
Ely Moore

Mr. Samuel W. Morris
John Palmer
Amasa J. Parker
Virgil D. Parris
John H. Prentiss
James Rariden
John Reed
Joseph Ridgway
John Robertson
Edward Robinson

Mr. Edward Rumsey
Augustine H. Shepperd
Ebenezer J. Shields
Francis O. J. Smith
James B. Spencer
Archibald Stuart
William Stone
Francis Thomas
Obadiah Titus
Henry Vail

Mr. Taylor Webster
Albert S. White
John White
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Thomas J. Word
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Andrew Beirne
George N. Briggs
William B. Calhoun
John Campbell
Zadok Casey
John Chaney
Walter Coles
Thomas Corwin
George W. Crabb
John W. Crockett
William C. Dawson
Edward Davies
Edmund Deberry
Alexander Duncan
George H. Dunn
John Edwards
Franklin H. Elmore
Horace Everett
Albert Gallup
Joshua R. Giddings
Patrick G. Goode
Hiram Gray
George Grannell, jr.
John K. Griffin
William Halsted
Robert H. Hammond
Thomas L. Hamer

Mr. William S. Hastings
Micajah T. Hawkins
Thomas Henry
George W. Hopkins
William H. Hunter
John W. Jones
George M. Keim
Levi Lincoln
Henry Logan
Arphaxed Loomis
Samson Mason
Joshua L. Martin
William L. May
John P. B. Maxwell
James J. McKay
Abraham McClellan
Charles McClure
Thomas M. T. McKennan
Charles F. Mercer
John J. Milligan
William Montgomery
William S. Morgan
Calvary Morris
Charles Naylor
William H. Noble
Joseph C. Noyes
Charles Ogle
George W. Owens
William Parmenter
Lemuel Paynter

Mr. James A. Pearce
Isaac S. Pennybacker
David Petrik
Lancelot Phelps
Arnold Plumer
John Pope
David Potts, jr.
Zadock Pratt
Sergeant S. Prentiss
Harvey Putnam
Joseph F. Randoipt
Abraham Rencher
Francis E. Rives
David Russell
Leverett Saltonstall
William Staley
Edward Stanly
Charles C. Stratton
John Taliaferro
William Taylor
Waddy Thompson, jr.
Joseph L. Tillingham
George W. Toland
Isaac Toucey
George W. Towns
Hopkins L. Turney
David D. Wagener
Thomas T. Whidsey
Lewis Williams
Jared W. Williams

The question was then put, that the House do agree to the resolution moved by Mr. Howard,

And passed in the affirmative.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed bills of this House, with amendment, of the following titles, viz:

No. 346. An act for the relief of the heirs and representatives of Peter Alba, deceased.

No. 547. An act for the relief of Solomon Sturges.

No. 609. An act for the relief of Enoch Matson.

No. 414. An act for the relief of Daniel Ward and George Ficklin.

No. 374. An act for the relief of Polly Lining, executrix of the last will and testament of Charles Lining, deceased, who, in his lifetime, and at the time of his death, was executor of the last will and testament of Edward Blake, deceased.

No. 671. An act for the relief of John Lybrook.

No. 468. An act for the relief of Samuel McComb.

No. 709. An act granting a pension to Thomas Maxwell.

No. 270. An act for the relief of Henry Lynch.

No. 344. An act for the relief of George Innes.

No. 583. An act for the relief of James Selby.

No. 758. An act for the relief of William Grozer.

No. 642. An act for the relief of John Blanc.

No. 844. An act for the relief of Isaac Conly.

No. 307. An act for the relief of the legal representatives of William Tudor, jr.

No. 535. An act for the relief of Abel A. Pasko and others.

No. 160. An act for the relief of Etienne (Stephen) La Lande, of Alabama.

No. 769. An act for the relief of Richard Hendley.

No. 581. An act for the relief of John Brown and company.

The Senate have passed bills of this House, with amendments, of the following titles, viz :

No. 302. An act for the relief of Dudley Walker.

No. 662. An act for the relief of John Dougherty, of Wisconsin.

No. 637. An act for the relief of William Marcus, of Arkansas.

No. 892. An act making an appropriation for the protection of the Northern and Northwestern frontier of the United States.

No. 167. An act to authorize the President of the United States to cause to be issued to Us-se-yoholo, a Creek Indian, a patent for a certain reservation of land in the State of Alabama.

No. 1070. An act granting a pension to Reuben Murray, of the State of Virginia.

No. 304. An act for the relief of Benjamin Hewitt.

No. 359. An act for the settlement of the accounts of Edmund Roberts, late diplomatic agent of the United States to Cochin China, Muscat, and Siam.

And then he withdrew.

A motion was made by Mr. Shields, that the rules in relation to the order of business be suspended, and that the House do proceed to the consideration of the bill from the Senate (No. 173) entitled "An act to amend an act entitled 'An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same,' passed the 18th day of April, 1806."

And on the question, that the rules be suspended for the purpose aforesaid,

There appeared, { Yeas, 90,
Nays, 61.

'The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Heman Allen
J. Banker Aycrigg
John Bell
Richard Biddle
George N. Briggs
John Calhoun
William B. Campbell
William B. Carter
Zadok Casey
Reuben Chapman
Richard Cheatham
Timothy Childs

Mr. John C. Clark
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Caleb Cushing
Edward Darlington
William C. Dawson
Edward Davies
George H. Dunn
George Evans
John Ewing

Mr. Richard Fletcher
James Garland
Rice Garland
Patrick G. Goode
William Graham
Seaton Grantland
William J. Graves
George Grennell, jr.
Hiland Hall
William Halsted
Robert H. Hammond
Albert G. Harrison

Mr. William S. Hastings
 Richard Hawes
 Thomas Henry
 William Herod
 Ogden Hoffman
 George W. Hopkins
 Daniel Jenifer
 Henry Johnson
 John P. Kennedy
 Dixon H. Lewis
 Francis S. Lyon
 Francis Mallory
 Richard P. Marvin
 James M. Mason
 Samson Mason
 Joshua L. Martin
 Abram P. Maury
 William L. May

Mr. Abraham McClellan
 Thomas M. T. McKennan
 Richard H. Menefee
 John L. Murray
 Charles Naylor
 Charles Ogle
 James A. Pearce
 John Pope
 David Potts, jr.
 James Rariden
 Joseph F. Randolph
 John Reed
 Abraham Rencher
 Joseph Ridgway
 Edward Robinson
 Edward Rumsey
 Leverett Saltonstall
 Daniel Sheffer

Mr. Ebenezer J. Shields
 William Slade
 William Stone
 Charles C. Stratton
 John Taliaferro
 Waddy Thompson, jr.
 Joseph L. Tillinghast
 George W. Toland
 Albert S. White
 John White
 Thomas T. Whittlesey
 Sherrod Williams
 Joseph L. Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word
 Archibald Yell
 Thomas Jones Yorke.

Those who voted in the negative are—

Mr. John Quincy Adams
 Hugh J. Anderson
 John T. Andrews
 Charles G. Atherton
 Linn Banks
 Andrew Beirne
 Samuel Birdsell
 C. C. Cambreleng
 John Champbell
 John Chaney
 Edward Curtis
 Samuel Cushman
 Edmund Deberry
 John I. De Graff
 George C. Dromgoole
 John Edwards
 Horace Everett
 Albert Gallup
 James Graham
 Abraham P. Grant
 Hiram Gray

Mr. Elisha Haley
 Micajah T. Hawkins
 William H. Hunter
 Samuel Ingham
 Thomas B. Jackson
 Jabez Jackson
 William Cost Johnson
 Nathaniel Jones
 John W. Jones
 Gouverneur Kemble
 Arphaxed Loomis
 John P. B. Maxwell
 Robert McClellan
 John J. Milligan
 William Montgomery
 Ely Moore
 Samuel W. Morris
 William H. Noble
 George W. Owens
 John Palmer

Mr. Amasa J. Parker
 William Parmenter
 Virgil D. Parris
 Lemuel Paynter
 David Petrikin
 Lancelot Phelps
 Francis W. Pickens
 Zadock Pratt
 John H. Prentiss
 Francis E. Rives
 John Robertson
 Samuel T. Sawyer
 James B. Spencer
 William Taylor
 Obadiah Titus
 George W. Towns
 Henry Vail
 Lewis Williams
 Jared W. Williams
 John T. H. Worthington

Mr. Chambers, from the Committee of Claims, to which was referred the bill from the Senate (No. 81) entitled "An act for the relief of Peter Barge, jr.," reported the same without amendment.

Ordered, That said bill be committed to the Committee of the Whole House on the state of the Union.

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Briggs reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the amendments of the Senate to the bill (No. 896) entitled "An act making appropriations for the naval service for the year 1839," also, the amendments of the Senate to the bill (No. 981) entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1839;" and that the committee had concurred in the amendments to bill No. 896, and concurred in part and disagreed to part of the amendments to bill No. 981.

The House proceeded to the consideration of the report from the Committee of the Whole House; and

The amendments to the bill (No. 896) entitled "An act making appropriations for the naval service for the year 1839," were then again read, and concurred in by the House.

The amendments to the bill (No. 981) entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1839," were read, the first of which is as follows:

From the item "For compiling and printing the Biennial Register, one thousand eight hundred dollars," strike the following proviso: "*Provided, That the printing the said Biennial Register, and the job printing, stationery, and binding of each of the Executive Departments, shall be furnished by contract, proposals for which shall regularly be advertised for in the public prints; and, according to the usual provisions attending such contracts, the contract given to the lowest bidder.*"

And on the question that the House do agree to this amendment,

It passed in the negative, { Yeas, 73,
Nays, 92.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Bennet Bicknell
Samuel Birdsall
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambreleng
John Chaney
Walter Coles
Isaac E. Crary
Samuel Cushman
Thomas Davee
John I. De Graff
James Farrington
Jacob Fry, jr.
Albert Gallup
Abraham P. Grant
Hiram Gray
John K. Griffin
Robert H. Hammond

Mr. Albert G. Harrison
Benjamin C. Howard
William H. Hunter
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Henry Logan
Arphaxed Loomis
Francis Mallory
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble

Mr. Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
David Petrikim
Francis W. Pickens
Arnold Plumer
Zadock Pratt
John H. Prentiss
Luther Reily
Francis E. Rives
Samuel T. Sawyer
James B. Spencer
Henry Swearingen
William Taylor
Francis Thomas
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Taylor Webster
Jared W. Williams
John T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
Heman Allen
John W. Allen
John Bell
William Key Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
John Calhoun
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Reuben Chapman
Richard Cheatham

Mr. Timothy Childs
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
William C. Dawson
Edmund Deberry
John Dennis
George H. Dunn
Franklin H. Elmore
George Evans
Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore

Mr. James Garland
Rice Garland
Patrick G. Goode
James Graham
William Graham
George Grennell, jr.
Hiland Hall
William Halsted
James Harlan
William S. Hastings
Ogden Hoffman
George W. Hopkins
Daniel Jenifer
William Cost Johnson
Levi Lincoln

Mr. Richard P. Marvin
Samson Mason
Joshua L. Martin
Abram P. Maury
John P. B. Maxwell
Thomas M. T. McKennax
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Calvary Morris
Charles Naylor
Joseph C. Noyes
Charles Ogle
Luther C. Peck
John Pope
David Potts, jr.

Mr. Sergeant S. Prentiss
Harvey Putnam
James Rariden
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade

Mr. Francis O. J. Smith
William W. Southgate
Edward Stanley
Charles C. Stratton
John Taliaferro
Waddy Thompson, jr.
Joseph L. Tillinghast
Albert S. White
John White
Lewis Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones York.

The House then disagreed to the 7th amendment, which proposes to strike from said bill the following item : "*For the balance due on account of the first volume of the Documentary History of the United States, five thousand six hundred and two dollars. And the Secretary of State is hereby authorized to deliver to the Secretary of the Senate forty copies of said work, and the Clerk of the House of Representatives three hundred and sixty-eight copies of said work, to be distributed to each of the members of the Senate and House of Representatives of the 23d, 24th, and 25th Congresses, who are not entitled to receive the same under former resolutions or acts of Congress.*"

The residue of the amendments of the Senate to the said bill were then agreed to with amendments.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have concurred in the resolution from this House to suspend the 16th joint rule, so far as respects the bill of this House (No. 1176) entitled "An act giving to the President of the United States additional powers for the defence of the United States in certain cases against invasion, and for other purposes."

The Senate have passed bills of this House of the following titles, viz :

No. 379. An act for the relief of Zebulon Sheets.

No. 357. An act for the relief of John and Samuel Rowe.

No. 297. An act for the relief of James Cooper.

No. 293. An act for the relief of John Dixon.

No. 162. An act for the relief of Henry L. Reviere.

No. 172. An act for the relief of Spencer C. Gist.

No. 171. An act for the relief of the representatives of Henry Richardson.

No. 173. An act for the relief of Benjamin Hewitt.

No. 852. An act for the relief of Cornelius Taylor.

No. 520. An act for the relief of the legal representatives of Michael Fenwick, deceased.

No. 168. An act for the relief of Milly Yates.

No. 1053. An act for the relief of Joseph Jackson.

No. 810. An act for the relief of Dunscomb Bradford.

No. 396. An act for the relief of Winslow Lewis.

No. 698. An act to confirm the claim of Charles Morgan, in right of Simon Porché, to a tract of land.

And then he withdrew.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz :

- No. 844. An act for the relief of Isaac Conly ;
- No. 769. An act for the relief of Richard Hendley ;
- No. 758. An act for the relief of William Grozer ;
- No. 719. An act for the relief of John L. Allen ;
- No. 612. An act for the relief of John Blanc ;
- No. 631. An act for the relief of Paul Poissot ;
- No. 609. An act for the relief of Enoch Matson ;
- No. 583. An act for the relief of James Selby ;
- No. 581. An act for the relief of John Brown and company ;
- No. 547. An act for the relief of Solomon Sturges, assignee of Rezin Frazier ;
- No. 535. An act for the relief of Abel A. Pasko and others ;
- No. 493. An act for the relief of Ezekiel Jones ;
- No. 468. An act for the relief of Daniel Ward and George Ficklin ;
- No. 374. An act for the relief of Polly Lining, executrix of the last will and testament of Charles Lining, deceased, who, in his lifetime, and at the time of his death, was executor of the last will and testament of Edward Blake, deceased ;
- No. 346. An act for the relief of the heirs and assignees of Peter Alba, deceased ;
- No. 344. An act for the relief of George Innes ;
- No. 307. An act for the relief of the legal representatives of William Tudor, junior ;
- No. 270. An act for the relief of Henry Lynch ;
- No. 160. An act for the relief of Etienne (Stephen) La Lande, of Alabama ;

and found them correctly enrolled ; whereupon

The Speaker signed the said bills.

Mr. Ingham being in the chair, officiating as Speaker,

Mr. Elmore moved the following resolution :

Resolved, That the thanks of this House be presented to the honorable James K. Polk, for the able, impartial, and dignified manner in which he has presided over its deliberations, and performed the arduous and important duties of the chair.

A motion was made by Mr. Prentiss, of Mississippi, to amend the said resolution, by striking out the word *impartial* ;

And, after debate,

The previous question was moved by Mr. Gray ; and being demanded by a majority of the members present,

The said previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative, { Yeas, 92,
 { Nays, 73.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty
Bennet Bicknell

Mr. Samuel Birdsell
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum

Mr. C. C. Cambreleng
John Campbell
Zadok Casey
John Chaney
Reuben Chapman
Walter Coles

Mr. Henry W. Connor
Isaac E. Cray
Samuel Cushman
William C. Dawson
Thomas Davee
Edmund Deberry
John I. De Graff
George C. Dromgoole
Franklin H. Elmore
James Farrington
Jacob Fry, jr.
Albert Gallup
Abraham P. Grant
Hiram Gray
John K. Griffin
Elisha Haley
Robert H. Hammond
Albert G. Harrison
Micajah T. Hawkins
William H. Hunter
Samuel Ingham
Thomas B. Jackson
Joseph Johnson
Nathaniel Jones
John W. Jones

Mr. George M. Keim
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
William Montgomery
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble
George W. Owens
Amasa J. Parker
William Parmenter
Virgil D. Parris

Mr. Lemuel Payater
David Petrikin
Francis W. Pickens
Arnold Plumer
Zadock Pratt
John H. Prentiss
Harvey Putnam
Luther Reily
Francis E. Rives
Daniel Sheffer
James B. Spencer
Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
David D. Wagner
Taylor Webster
Jared W. Williams
John T. H. Worthington
Archibald Yell

Those who voted in the negative are—

Mr. John Quincy Adams
John W. Allen
J. Banker Ayrcrigg
John Bell
William Key Bond
Nathaniel B. Borden
George N. Briggs
John Calhoun
William B. Campbell
William B. Carter
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
Thomas Corwin
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Curtis
Edward Darlington
John Dennis
George H. Dunn
George Evans
John Ewing
Millard Fillmore

Mr. Rice Garland
Patrick G. Goode
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
William Halsted
William S. Hastings
William Herod
George W. Hopkins
William Cost Johnson
John P. Kennedy
Francis Mallory
Abram P. Maury
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
Calvary Morris
Charles Naylor
Charles Ogle
James A. Pearce
Luther C. Peck
John Pope

Mr. David Potts, jr.
Sergeant S. Prentiss
James Rariden
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
David Russell
Augustine H. Sheppard
Ebenezer J. Shields
Mark H. Sibley
Edward Stanly
Charles C. Stratton
John Taliaferro
Joseph L. Tillinghast
John White
Lewis Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones York

The main question was then put, viz: Will the House agree to the said resolution?

And passed in the affirmative, { Yeas, 94.
Nays, 57.

The yeas and nays being desired by one-fifth of the members present.
Those who voted in the affirmative are—

Mr. Hugh J. Anderson
John T. Andrews
Charles G. Atherton
Linn Banks
William Beatty

Mr. Andrew Beime
Bennet Bicknell
Samuel Birdsall
James W. Bouldin
George N. Briggs

Mr. John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
Jesse A. Bynum
C. C. Cambridge

r. John Campbell
 Zadok Casey
 John Chaney
 Reuben Chapman
 Walter Coles
 Henry W. Connor
 Isaac E. Cray
 Samuel Cushman
 William C. Dawson
 Thomas Davee
 Franklin H. Elmore
 James Farrington
 Jacob Fry, jr.
 Albert Gallup
 James Garland
 Abraham P. Grant
 Hiram Gray
 John K. Griffin
 Elisha Haley
 Robert H. Hammond
 Thomas L. Hamer
 Albert G. Harrison
 Micajah T. Hawkins
 Benjamin C. Howard
 William H. Hunter
 Samuel Ingham
 Thomas B. Jackson

Mr. Joseph Johnson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kemble
 John Klingsmith, jr.
 Daniel P. Leadbetter
 Dixon H. Lewis
 Henry Logan
 Arphaxed Loomis
 Francis S. Lyon
 James M. Mason
 Joshua L. Martin
 James J. McKay
 Robert McClellan
 Abraham McClellan
 Charles McClure
 John Miller
 William Montgomery
 Ely Moore
 William S. Morgan
 Samuel W. Morris
 John L. Murray
 William H. Noble
 Amasa J. Parker
 William Parmenter

Mr. Virgil D. Parris
 Lemuel Paynter
 David Petrikin
 Francis W. Pickens
 Arnold Plumer
 Zadock Pratt
 John H. Prentiss
 Harvey Putnam
 Luther Reily
 Francis E. Rives
 Daniel Sheffer
 James B. Spencer
 Henry Swearingen
 William Taylor
 Francis Thomas
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Hopkins L. Turney
 Henry Vail
 David D. Wagener
 Taylor Webster
 Thomas T. Whittlesey
 Jared W. Williams
 John T. Worthington
 Archibald Yell.

Those who voted in the negative are—

John Quincy Adams
 John W. Allen
 J. Banker Ayerigg
 John Bell
 William Key Bond
 William B. Calhoun
 John Calhoun
 William B. Campbell
 William B. Carter
 John Chambers
 Richard Cheatham
 Timothy Childs
 John C. Clark
 Thomas Corwin
 George W. Crabb
 Robert B. Cranston
 John W. Crockett
 Edward Curtis
 Edward Darlington

Mr. George H. Dunn
 George Evans
 John Ewing
 Rice Garland
 Patrick G. Goode
 William Graham
 William J. Graves
 George Grennell, jr.
 William Halsted
 William Herod
 William Cost Johnson
 John P. Kennedy
 Samson Mason
 Thomas M. T. McKennan
 Richard H. Menefee
 Charles F. Mercer
 Calvary Morris
 Charles Naylor
 Charles Ogle

Mr. Luther O. Peck
 John Pope
 Sergeant S. Prentiss
 James Rariden
 Joseph F. Randolph
 John Reed
 Joseph Ridgway
 John Robertson
 David Russell
 Leverett Saltonstall
 Augustine H. Shepperd
 Mark H. Sibley
 Edward Stanly
 Charles C. Stratton
 John White
 Lewis Williams
 Christopher H. Williams
 Henry A. Wise
 Thomas J. Word.

And so it was

Resolved, That the thanks of this House be presented to the honorable nes K. Polk for the able, impartial, and dignified manner in which he ; presided over its deliberations and performed the arduous and important duties of the chair.

A message from the Senate, by Mr. Dickens, their Secretary :

Mr. Speaker : The Senate insist on their first amendment to the bill o. 981) entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1839 ;" they recede from the t part and insist upon the second part of their seventh amendment to d bill, and agree to the amendments of this House to their amendments said bill. The Senate have passed the bill of this House (No. 1176) itled "An act giving to the President of the United States additional vers for the defence of the United States in certain cases against inva- n, and for other purposes." And then he withdrew.

Mr. Campbell, of South Carolina, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles:

No. 896. An act making appropriations for the naval service for the year 1839;

No. 1176. An act giving to the President of the United States additional powers for the defence of the United States in certain cases against invasion, and for other purposes;

No. 1053. An act for the relief of Joseph Jackson;

No. 852. An act for the relief of Cornelius Taylor;

No. 810. An act for the relief of the legal representatives of Dunscomb Bradford, deceased;

No. 698. An act to confirm the claim of Charles Morgan, in right of Simon Porché, to a tract of land;

No. 520. An act for the relief of the legal representatives of Michael Fenwick, deceased;

No. 396. An act for the relief of Winslow Lewis;

No. 379. An act for the relief of Zebulon Sheets;

No. 357. An act for the relief of John and Samuel Rowe, heirs and legal representatives of Ludwick Rowe, deceased;

No. 414. An act for the relief of Daniel Ward and George Ficklin;

No. 297. An act for the relief of James Cooper;

No. 295. An act for the relief of William Washington Bigham;

No. 173. An act for the relief of Benjamin Hewitt;

No. 172. An act for the relief of Spencer C. Gist;

No. 171. An act for the relief of the representatives of Henry Richardson, deceased;

No. 168. An act for the relief of Milly Yates;

No. 162. An act for the relief of Henry L. Reviere;
and found them correctly enrolled: whereupon

The Speaker signed the said bills.

Mr. Keim, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills and a resolution of the following titles:

No. 8. Resolution authorizing the opening of an alley, and the execution of certain deeds, in the city of Washington;

No. 101. An act to extend the jurisdiction of the corporation of the city of Washington over the Potomac bridge;

No. 174. An act for the relief of the widow and heirs at law of Alexander Hamilton, deceased;

and found the same to be truly enrolled: when

The Speaker signed the said bills and resolution.

A message from the Senate, by Mr. Dickins, their Secretary:

Mr. Speaker: The Senate have passed the following resolution, to wit:

"Resolved by the Senate, (the House of Representatives concurring.)
That when the Senate and House of Representatives adjourn, they will adjourn to meet at ten o'clock A. M. on the 3d of March instant;"

which resolution I am directed to ask the concurrence of this House.
The Senate insist on their amendment to the bill (No. 395) entitled:
"An act for the relief of the Springfield Manufacturing Company."

The Senate have passed, without amendment, bills of this House of the following titles, viz:

No. 1064. An act for the relief of certain officers of the Florida militia.

No. 566. An act for the relief of Captain John Vannettin and his company, for their services during the late war.

No. 481. An act for the relief of Roger Jones, Adjutant General of the army.

No. 1005. An act for the benefit of Eliphalet Spafford.

No. 946. An act for the relief of Sibel Barnes.

No. 1058. An act to authorize the election or appointment of certain officers of the Territory of Iowa, and for other purposes.

No. 1028. An act to define and establish the eastern boundary of the Territory of Iowa.

No. 1115. An act to alter and amend the organic law of the Territories of Wisconsin and Iowa.

No. 325. An act for the relief of Thomas Todd.

No. 640. An act for the relief of Joseph Pierce.

No. 420. An act for the relief of Ashbel Mason.

No. 775. An act for the relief of James Maxwell.

No. 1013. An act for the relief of Rosaline Prudhomme.

No. 853. An act for the relief of James L. Stokes.

No. 819. An act to authorize the trustees of the township of Oxford, in the county of Butler, in the State of Ohio, to enter a section of land in lieu of section sixteen in said township, for the use of schools.

No. 716. An act for the relief of Abraham Stipp.

No. 157. An act for the relief of the legal representatives of the late Robert Farmer, deceased.

No. 156. An act for the relief of James Moor.

No. 925. An act for the relief of Solomon Prewett.

No. 930. An act granting a pension to Susannah Rowe, widow of John Rowe, deceased.

No. 870. An act for the relief of Sarah Windham, widow of the late Joshua Lamb, a soldier of the Revolution.

No. 851. An act for the relief of Jamison and Williamson.

No. 1050. An act for the relief of Doctor J. M. Foltz.

No. 859. An act for the relief of the widow of Thomas Kibby.

No. 858. An act for the relief of Charles Rockwell.

No. 857. An act for the relief of Jesse Seymour, or his legal representatives, and in alteration of an act entitled "An act respecting the late officers and crew of the sloop of war Wasp," approved the 20th April, 1816.

No. 437. An act to provide for the settlement of the claim of Walter Jones against the United States.

No. 856. An act for the relief of the widow or legal representatives of John Tilden.

No. 1075. An act for the relief of Menzies Gillespie.

No. 1024. An act for the relief of Peter Samuel Jaccard.

No. 1023. An act for the relief of Isaac Miller.

No. 789. An act for the relief of Samuel Massey and Thomas James.

No. 479. An act for the relief of George Rowe.

No. 997. An act granting a pension to Harvey Reynolds.

No. 889. An act for the relief of Susan Gratiot, administratrix, and Charles H. Gratiot, administrator, of Henry Gratiot, deceased.

No. 825. An act for the relief of Isaac Lilley.

And the Senate have passed, with amendments, bills of this House of the following titles, viz :

No. 245. An act for the relief of Stephen Masters ;

No. 447. An act for the relief of John Balch, junior ;

No. 1022. An act for the relief of Philip Catner ;

No. 158. An act for the relief of William Moor ;

No. 735. An act for the relief of Herman Harris;
 No. 669. An act for the relief of certain umbrellamakers of the city of Philadelphia;
 No. 677. An act for the relief of the heirs of William Graham, deceased;
 No. 714. An act for the relief of Thomas Cushing;
 No. 971. An act for the relief of Patrick Green;
 No. 469. An act to provide for paying three companies of militia in the State of Indiana, called into the service of the United States; in the amendments to which bills I am directed to ask the concurrence of this House. And then he withdrew.

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Briggs reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the amendments of the Senate to the bill (No. 897) entitled "An act making appropriations for the support of the army for the year 1839," and had come to no resolution thereon.

The House proceeded to the consideration of the following resolution from the Senate, to wit:

Resolved by the Senate, (the House of Representatives concurring. That when the Senate and House of Representatives adjourn, they do adjourn to meet at 10 o'clock A. M., on the 3d of March instant.

And the said resolution being read, was agreed to.

Ordered, That the Clerk acquaint the Senate therewith.

The House again proceeded to the consideration of the amendment of the Senate to the bill (No. 395) entitled "An act for the relief of the Springfield Manufacturing Company of Massachusetts," to which the House have disagreed and upon which the Senate have insisted.

A motion was made by Mr. Dromgoole that the House insist upon disagreement; which was decided in the negative.

It was then, on motion of Mr. William B. Calhoun,

Ordered, That the said bill do lie on the table.

Amendments of the Senate to bills of the following titles were severally read and concurred in by the House, viz:

No. 359. An act for the settlement of the accounts of Edmund Roberts, late diplomatic agent of the United States to Cochin China, Muscat, and Sar.

No. 245. An act for the relief of Stephen Marsters.

No. 447. An act for the relief of John Balch, jr.

No. 1022. An act for the relief of Philip Catter.

No. 158. An act for the relief of William Moor.

No. 735. An act for the relief of Herman Harris.

No. 669. An act for the relief of certain umbrellamakers of the city of Philadelphia.

No. 677. An act for the relief of the heirs of William Graham, deceased.

No. 714. An act for the relief of Thomas Cushing.

No. 971. An act for the relief of Patrick Green.

No. 469. An act to provide for paying three companies of militia in the State of Indiana, called into the service of the United States.

No. 302. An act for the relief of Dudley Walker.

No. 662. An act for the relief of John Dougherty, of Wisconsin.

No. 637. An act for the relief of William Marcus, of Arkansas.

No. 892. An act making an appropriation for the protection of the Northern and Northwestern frontier of the United States.

No. 167. An act to authorize the President of the United States to cause to be issued to Usse Yoholo, a Creek Indian, a patent for a certain reservation of land in the State of Alabama.

No. 304. An act for the relief of Benjamin Hewitt.

Ordered, That the Clerk acquaint the Senate therewith.

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Parker reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill from the Senate (No. 81) entitled "An act for the relief of Peter Bargy, jr.;" which bill he reported to the House without amendment.

Ordered, That the said bill be read a third time to-day.

The said bill was then read the third time,

And on the question, Shall it pass?

It passed in the affirmative.

The rule being suspended for the purpose of receiving the same, Mr. Hopkins moved the following resolution:

Resolved, That the Clerk of this House be, and he is hereby, authorized and required to pay to each messenger and page in attendance on the House the usual allowance for extra services.

A motion was made by Mr. Lincoln to amend the resolution, by adding thereto the following:

Resolved, That the Clerk of the House of Representatives be directed to pay the usual extra compensation to each of the watch and to the lamp-lighter of the Capitol.

This was accepted by Mr. Hopkins, who thereupon modified his resolution by adding the same thereto;

And, after debate,

The House, at a quarter past four o'clock in the night, adjourned until Sunday, at ten o'clock in the forenoon.

SUNDAY, MARCH 3, 1839.

In pursuance of the order of the two Houses of yesterday, the House assembled this day at ten o'clock in the forenoon, and proceeded to business.

Sundry messages, heretofore received from the President of the United States, were read, viz :

FIRST MESSAGE.

To the House of Representatives :

I transmit, herewith, a report from the Secretary of the Treasury, accompanied by a letter from the Commissioner of the General Land Office, and other documents therein referred to, touching certain information directed to be communicated to the House of Representatives by a resolution dated the 7th of July last.*

M. VAN BUREN.

WASHINGTON, February 28, 1839.

Ordered, That the said message do lie on the table.

* The resolution here referred to is in the words following :

Resolved, That the President of the United States be requested to communicate to this House, on the first day of the next session, all the information not heretofore communicated now in pos-

SECOND MESSAGE.

To the House of Representatives of the United States:

I transmit, herewith, a communication from the Secretary of War, respecting the importance of requiring the officers who may be employed to take the next general census to make a return of the names and ages of pensioners; and, for the reasons given by the Secretary of War, I recommend the subject for your favorable consideration.

M. VAN BUREN.

WASHINGTON, *February 28, 1839.*

Ordered, That the said message do lie on the table.

THIRD MESSAGE.

To the Speaker of the House of Representatives of the United States:

I transmit, herewith, reports of the Secretaries of the State, Treasury, War, and Navy Departments, in reply to a resolution of the 28th ultimo, calling for information respecting the amounts paid to persons concerned in negotiating treaties with the Indians since the year 1829, and in regard to the disbursement of public money by clerks in the above Departments, and the bureaus and offices thereof.

M. VAN BUREN.

WASHINGTON, *March 2, 1839.*

Ordered, That the said message do lie on the table.

The Speaker laid before the House sundry communications, viz:

I. A letter from the Secretary of War, accompanied by 255 printed copies of the official Army Register for 1839, for the use of the members of the House; which letter was ordered to lie on the table.

II. A letter from the Secretary of War, transmitting a report from the chief officer of ordnance, showing the number and description of arms made at the national armories in 1838, with the expenditures, &c.; which letter and report were laid on the table.

III. A letter from the Secretary of War, transmitting such information as his office affords in relation to allowances made prior to June, 1834, as annual compensation to Governors or Secretaries of Territories, for services as superintendents of Indian affairs, called for by the House on the 14th of January, 1839; which was ordered to lie on the table.

IV. A letter from the Secretary of War, communicating information respecting the defalcation of army officers, called for by the House on the 3d of February ultimo; which was ordered to lie on the table, and ten thousand copies extra were ordered to be printed.

V. A letter from the Commissioner of the General Land Office, giving the reasons why he cannot, until the next session of Congress, give a satisfactory answer to the call of the House of the 6th of February ultimo, for information in relation to errors which have been committed in

session of the Executive, or which may be procured before that time, touching undue attempts or practices, if any, since May 29, 1830, to keep down the price of the public lands, or prevent purchases or entries thereof at public or private sale, by force, threats, or fraud; and the measures taken since the date aforesaid to prevent, defeat, or punish such fraudulent practices and illegal entries upon the public lands.

making and issuing patents for lands; which letter was ordered to lie on the table.

VI. A letter from the First Comptroller of the Treasury of the United States, transmitting a statement of balances on the books of the Register of the Treasury which have remained more than three years; which letter and statement were laid on the table.

VII. A report from the Solicitor of the Treasury, the First Comptroller of the Treasury, and the Second Comptroller of the Treasury, on the claim of Charles F. Sibbald, referred to them by the House on the 2d July, 1838; which report was ordered to lie on the table.

VIII. A report from the Postmaster General, of the expenditures of the Post Office Department for the year ending June 30, 1838; which report was laid on the table.

IX. A letter from the Secretary of the Treasury, containing information called for by the House on the 2d March instant, in relation to a balance due the United States from Charles J. Ingersoll, district attorney of Pennsylvania; which letter was ordered to lie on the table.

X. A letter from the Secretary of the Treasury, transmitting a letter from the First Comptroller, setting forth the impracticability of furnishing, before the close of the present session of Congress, the information called for by the House on the 23th of January last, in respect to payments under the treaty of indemnity with France; which letters were laid on the table.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee had examined an enrolled bill of the following title, viz:

No. 359. An act for the settlement of the accounts of Edmund Roberts, late diplomatic agent of the United States to Cochin China, Muscat, and Siam; and found the same to be truly enrolled: when

The Speaker signed the said bill.

A motion was made by Mr. Lincoln, that the rules in relation to the order of business be suspended, and that the House do now proceed to the consideration of the bill (No. 1031) providing for the construction of a fire-proof building for the Post Office Department.

And the question being put,

It passed in the affirmative, two-thirds voting therefor.

The House then resumed the consideration of said bill, and the question was stated that it be engrossed, and read a third time;

And, after debate,

The previous question was moved by Mr. Cambreleng; and being demanded by a majority of the members present,

A motion was then made by Mr. Crabb that the bill do lie on the table, And decided in the negative.

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the bill be engrossed and read a third time?

And passed in the affirmative.

The bill being engrossed, was then read the third time; and on the question, Shall it pass?

It passed in the affirmative.

Mr. Lincoln then moved the following resolutions :

Resolved, That the 16th joint rule of the two Houses, which provides that no bill that shall have passed one House shall be sent for concurrence to the other on either of the three last days of the session, be suspended so far as respects the bill of the House of Representatives (No. 1031) providing for the construction of a fire-proof building for the Post Office Department.

Resolved, That the 17th joint rule, which provides that no bill or resolution that shall have passed the House of Representatives and the Senate shall be presented to the President of the United States for his approbation on the last day of the session, be suspended.

And on the question, that the House do agree to these resolutions, It passed in the affirmative, two-thirds voting therefor.

Ordered, That the Clerk request the concurrence of the Senate in the said resolutions.

The House proceeded to the consideration of the amendments of the Senate to the bill (No. 1090) making appropriations for preventing and suppressing Indian hostilities for the year 1839; when

The first of the said amendments was disagreed to, and the residue concurred in by the House.

Ordered, That the Clerk acquaint the Senate therewith.

The House proceeded to the consideration of their disagreement to the 1st and 7th of the amendments of the Senate to the bill (No. 981) entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1839."

The first amendment proposes to strike from the item, "For compiling and printing the Biennial Register, \$1,800," the following proviso:

"*Provided*, That the printing of the said Biennial Register, and the job printing, stationary, and binding of each of the Executive Departments, shall be furnished by contract, proposals for which shall regularly be advertised for in the public prints; and, according to the usual provisions attending such contracts, the contract given to the lowest bidder."

A motion was made by Mr. Bond, that the House do insist on its disagreement to said first amendment, which proposes to strike out said proviso.

A motion was made by Mr. Rives, that the House do recede from its disagreement; which motion taking precedence of the motion to insist.

The question was put, that the House do recede,

And passed in the negative, { Yeas, 79.
Nays, 93.

The yeas and nays being desired by one-fifth of the members present

Those who voted in the affirmative are—

Mr. Hugh J. Anderson
Charles G. Atherton
Linn Banks
William Beatty
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
John C. Brodhead
Isaac H. Bronson
Andrew Buchanan
John Calhoun
C. C. Cambreleng

Mr. John Campbell
Reuben Chapman
Walter Coles
Henry W. Connor
Samuel Cushman
Thomas Davee
John I. De Graff
George C. Dromgoole
Isaac Fletcher
Jacob Fry, jr.
Albert Gallup
Abraham P. Grant

Mr. Hiram Gray
John K. Griffin
Elisha Haley
Robert H. Hammond
Thomas L. Hamer
Albert G. Harrison
William H. Hunter
Thomas B. Jackson
Nathaniel Jones
John W. Jones
George M. Keim
Gouverneur Kemble

Mr. John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Joshua L. Martin
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
Ely Moore
William S. Morgan
Samuel W. Morris
John L. Murray
William H. Noble

Mr. John Palmer
Amasa J. Parker
William Parmenter
Virgil D. Parris
Lemuel Paynter
David Petrikin
Francis W. Pickens
Arnold Plumer
John Pope
William W. Potter
Zadock Pratt
John H. Prentiss
Francis E. Rives
Samuel T. Sawyer

Mr. Daniel Sheffer
Charles Shepard
James B. Spencer
Henry Swearingen
William Taylor
Obadiah Titus
Isaac Toucey
George W. Towns
Hopkins L. Turney
Henry Vail
Taylor Webster
Jared W. Williams
Jno. T. H. Worthington
Archibald Yell.

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Ayrcrigg
John Bell
William Kay Bond
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
William B. Campbell
William B. Carter
Zadok Casey
John Chambers
Richard Cheatham
Timothy Childs
John C. Clark
Robert B. Cranston
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
Edward Davies
Edmund Deberry
John Dennis
George H. Dunn
John Edwards
George Evans
Horace Everett
John Ewing
Richard Fletcher

Mr. Millard Fillmore
James Garland
Rice Garland
Joshua R. Giddings
James Graham
William Graham
William J. Graves
George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
William Herod
George W. Hopkins
Robert M. T. Hunter
Jabez Jackson
Daniel Jenifer
Henry Johnson
Levi Lincoln
Francis S. Lyon
Francis Mallory
James M. Mason
Abram P. Maury
William L. May
Thos. M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
William Montgomery
Mathias Morris

Mr. Charles Naylor
Joseph C. Noyes
Charles Ogle
James A. Pearce
David Potts, jr.
Sergeant S. Prentiss
James Rariden
Joseph F. Randolph
John Reed
Abraham Rencher
Joseph Ridgway
John Robertson
Edward Robinson
Edward Rumsey
David Russell
Leverett Saltonstall
Augustine H. Sheppard
Ebenezer J. Shields
William Slade
William W. Southgate
Edward Stanly
Archibald Stuart
John Taliaferro
Joseph L. Tillinghast
Albert S. White
John White
Lewis Williams
Sherrod Williams
Christopher H. Williams
Thomas J. Word.
Thomas Jones Yorke.

The question was then put, that the House do insist on its disagreement to said amendment,

And passed in the affirmative.

So much of the 7th amendment to said bill upon which the Senate have insisted was then stated, to wit :

Strike from the item "For balance due on account of the first volume of the Documentary History of the United States, \$5,602," these words, viz : "And the Secretary of State is hereby authorized to deliver to the Secretary of the Senate forty copies of said work, and the Clerk of the House of Representatives three hundred and sixty-eight copies of said work, to be distributed to each of the members of the Senate and House of Representatives of the 23d, 24th, and 25th Congresses, who are not entitled to receive the same under former resolutions or acts of Congress."

A motion was made by Mr. Toucey, that the House do recede from its disagreement to so much of the Senate's amendment as proposes to strike out the said words.

And question being put,
It passed in the negative.

A motion was made by Mr. Petrikin, that the House do insist on its disagreement to said amendment,

And passed in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Cranston, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz:

No. 1058. An act to authorize the election or appointment of certain officers in the Territory of Iowa, and for other purposes;

No. 1115. An act to alter and amend the organic law of the Territories of Wisconsin and Iowa;

No. 1075. An act for the relief of Menzies Gillespie, late a soldier of the United States army;

No. 1064. An act for the relief of certain officers of the Florida militia.

No. 1050. An act for the relief of Doctor J. M. Foltz;

No. 1028. An act to define and establish the eastern boundary-line of the Territory of Iowa;

No. 1024. An act for the relief of Peter Samuel Jaccard;

No. 1023. An act for the relief of Isaac Miller;

No. 1013. An act for the relief of Rosaline Prudhomme;

No. 1005. An act for the benefit of Eliphalet Spafford;

No. 997. An act granting a pension to Harvey Reynolds;

No. 946. An act for the relief of Sibel Barnes;

No. 930. An act granting a pension to Susannah Roe, widow of John Roe, deceased;

No. 925. An act for the relief of Solomon Prewett;

No. 889. An act for the relief of Susan Gratiot, administratrix, and Charles Gratiot, administrator, of Henry Gatriot, deceased;

No. 870. An act for the relief of Sarah Windham, widow of the late Joshua Lamb, a soldier of the Revolution;

No. 859. An act for the relief of the widow of Thomas Kibby;

No. 858. An act for the relief of Charles Rockwell;

No. 857. An act for the relief of Jesse Seymour, or his representatives and in alteration of an act entitled "An act respecting the late officers and crew of the sloop of war Wasp," approved April 20th, 1816;

No. 856. An act for the relief of the widow or legal representatives of John Tilden;

No. 853. An act for the relief of James L. Stokes, and for other purposes;

No. 819. An act to authorize the trustees of the township of Oxford, in the county of Butler, in the State of Ohio, to enter a section of land in lieu of section 16 in said township, for the use of schools;

No. 851. An act for the relief of Jamison and Williamson;

No. 825. An act for the relief of Isaac Lilley;

No. 789. An act for the relief of Samuel Massey and Thomas James of the county of Crawford, in the State of Missouri;

No. 775. An act for the relief of the legal representatives of James Maxwell, of Pennsylvania;

- No. 716. An act for the relief of Abraham Stipp ;
No. 640. An act for the relief of Joseph Pierce and others ;
No. 566. An act for the relief of Captain John Vannettin, and his company, for their services during the late war ;
No. 481. An act to amend an act entitled "An act regulating the pay and emoluments of brevet officers," passed April 16, 1818 ;
No. 479. An act for the relief of George Rowe ;
No. 437. An act to provide for the settlement of the claims of Walter Jones against the United States ;
No. 420. An act for the relief of Ashbel Mason ;
No. 325. An act for the relief of Thomas Todd ;
No. 157. An act for the relief of the heirs and legal representatives of the late Robert Farmer, deceased ;
No. 156. An act for the relief of James Moore ;
and found them correctly enrolled ; whereupon
The Speaker signed the said bills.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee did, yesterday, present to the President of the United States enrolled bills of the following titles :

- No. 844. An act for the relief of Isaac Conly.
No. 769. An act for the relief of Richard Hendley.
No. 758. An act for the relief of William Grozer.
No. 719. An act for the relief of John L. Allen.
No. 642. An act for the relief of John Blanc.
No. 631. An act for the relief of Paul Poissot.
No. 609. An act for the relief of Enoch Matson.
No. 583. An act for the relief of James Selby.
No. 581. An act for the relief of John Brown and company.
No. 547. An act for the relief of Solomon Sturges, assignee of Rezin Frazier.



- No. 535. An act for the relief of Abel A. Pasko and others.
No. 483. An act for the relief of Ezekiel Jones.
No. 468. An act for the relief of Samuel McComb.
No. 414. An act for the relief of Daniel Ward and George Ficklin.
No. 374. An act for the relief of Polly Lining, executrix of the last will and testament of Charles Lining, deceased, who, in his lifetime, and at the time of his death, was executor of the last will and testament of Edward Blake, deceased.
No. 346. An act for the relief of the heirs and assignees of Peter Alba, deceased.
No. 344. An act for the relief of George Innes.
No. 307. An act for the relief of the legal representatives of William Tudor, junior.
No. 270. An act for the relief of Henry Lynch.
No. 160. An act for the relief of Etienne (Stephen) La Lande, of Alabama.

Mr. Keim, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States enrolled bills and a resolution of the following titles :

- No. 8. Resolution authorizing the opening of an alley and the execution of certain deeds in the city of Washington.

No. 101. An act to extend the jurisdiction of the Corporation of the city of Washington over the Potomac bridge.

No. 174. An act for the relief of the widow and heirs at law of Alexander Hamilton, deceased.

Mr. Campbell, of South Carolina, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz :

No. 447. An act for the relief of John Balch, junior ;

No. 469. An act providing for paying three companies of militia ;

No. 1022. An act for the relief of Philip Catner ;

No. 971. An act for the relief of Patrick Green ;

No. 892. An act making an appropriation for the protection of the Northern and Northwestern frontier of the United States ;

No. 735. An act for the relief of Herman Harris, of the city of New York ;

No. 714. An act for the relief of Thomas Cushing ;

No. 677. An act for the relief of the heirs of William Graham, deceased ;

No. 669. An act for the relief of umbrellamakers ;

No. 662. An act for the relief of John Daugherty, of Wisconsin ;

No. 637. An act for the relief of William Marcus, of Arkansas ;

No. 304. An act for the relief of Benjamin Hewitt ;

No. 302. An act for the relief of Dudley Walker ;

No. 245. An act for the relief of Stephen Marsters ;

No. 167. An act to authorize the President of the United States to cause to be issued to Michael Armbrister, assignee of Usse-Yoholo, a Creek Indian, a patent for a certain reservation of land in the State of Alabama ;

No. 158. An act for the relief of William Moor, and for other purposes. and found the same to be truly enrolled : when

The Speaker signed the said bills.

Mr Cranston, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States enrolled bills of the following titles, viz :

No. 1058. An act to authorize the election or appointment of certain officers in the Territory of Iowa, and for other purposes.

No. 1115. An act to alter and amend the organic law of the Territories of Wisconsin and Iowa.

No. 1075. An act for the relief of Menzies Gillespie, late a soldier of the United States army.

No. 1064. An act for the relief of certain officers of the Florida militia.

No. 1050. An act for the relief of Doctor J. M. Foltz.

No. 1028. An act to define and establish the eastern boundary-line of the Territory of Iowa.

No. 1024. An act for the relief of Peter Samuel Jaccard.

No. 1023. An act for the relief of Isaac Miller.

No. 1013. An act for the relief of Rosaline Prudhomme.

No. 1005. An act for the benefit of Eliphalet Spafford.

No. 997. An act granting a pension to Harvey Reynolds.

No. 946. An act for the relief of Sibel Barnes.

No. 930. An act granting a pension to Susannah Roe, widow of John Roe, deceased.

No. 925. An act for the relief of Solomon Prewett.

No. 889. An act for the relief of Susan Gratiot, administratrix, and Charles H. Gratiot, administrator, of Henry Gratiot, deceased.

No. 870. An act for the relief of Susan Windham, widow of the late Joshua Lamb, a soldier of the Revolution.

No. 859. An act for the relief of the widow of Thomas Kibby.

No. 858. An act for the relief of Charles Rockwell.

No. 857. An act for the relief of Jesse Seymour or his representatives, and in alteration of an act entitled "An act respecting the late officers and crew of the sloop of war Wasp," approved April 20, 1816.

No. 856. An act for the relief of the widow or legal representatives of John Tilden

No. 853. An act for the relief of James L. Stokes, and for other purposes.

No. 851. An act for the relief of Jamison and Williamson.

No. 825. An act for the relief of Isaac Lilley.

No. 789. An act for the relief of Samuel Massey and Thomas James, of the county of Crawford, in the State of Missouri.

No. 775. An act for the relief of the legal representatives of James Maxwell, of Pennsylvania.

No. 716. An act for the relief of Abraham Stipp.

No. 640. An act for the relief of Joseph Pierce and others.

No. 566. An act for the relief of Captain John Vannettin and his company, for their services during the late war.

No. 481. An act to amend an act entitled "An act regulating the pay and emoluments of brevet officers," passed April 16, 1818.

No. 479. An act for the relief of George Rowe.

No. 437. An act to provide for the settlement of the claims of Walter Jones against the United States.

No. 420. An act for the relief of Ashbel Mason.

No. 325. An act for the relief of Thomas Todd.

No. 157. An act for the relief of the heirs and legal representatives of the late Robert Farmer, deceased.

No. 156. An act for the relief of James Moore.

No. 819. An act to authorize the trustees of the township of Oxford, in the county of Butler, in the State of Ohio, to enter a section of land in lieu of section 16, in said township, for the use of schools.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker: The Senate have agreed to the resolution from this House for the suspension of the 16th joint rule, so far as regards the bill of the House of Representatives (No. 1031) entitled "An act providing for the erection of a fire-proof building for the use of the General Post Office Department," and for the suspension of the 17th joint rule for the remainder of the session. The Senate recede from their first amendment to the bill (No. 1090) entitled "An act making appropriations for preventing and suppressing Indian hostilities for the year 1839." The Senate further insist on that part of their 7th amendment to the bill (No. 981) entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1839," upon the disagreement to which this House has insisted, and ask a conference on the disagreeing vote of the two Houses thereon.

The Senate have passed, without amendment, bills of this House of the following titles :

No. 471. An act for the relief of the legal representatives of Adam Smith.

No. 811. An act for the relief of the legal representatives of James H. Cheears.

No. 837. An act for the relief of William Traverse.

No. 838. An act for the relief of Andrew Rembert.

No. 1061. An act authorizing the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes.

No. 878. An act for the relief of Woodburn Potter.

No. 973. An act for the relief of Frederick Richmond.

No. 879. An act for the relief of John L. McCarty.

No. 765. An act for the relief of E. H. Williams, administrator of Dr. Hazel W. Crouch.

No. 400. An act for the relief of Return B. Brown.

No. 1093. An act for the relief of Crocker Sampson.

No. 1011. An act for the relief of Nicholas Phelan, heir at law of John Phelan, deceased.

No. 920. An act for the relief of the legal representatives of Major Tar-ton Woodson, (balance of pay.)

No. 419. An act for the relief of Nathaniel Plumb.

No. 159. An act for the relief of Farish Carter and the heirs of Charles Williamson, deceased.

No. 881. An act for the relief of the assignees of Jacob Clements, deceased.

No. 301. An act to authorize the Secretary of the Navy to purchase a tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts.

No. 1031. An act for the erection of a fire-proof building for the use of the General Post Office Department.

The Senate have also passed bills of this House, with amendments, of the following titles, viz:

No. 1065. An act for the relief of Samuel Hoffman;

No. 506. An act for the relief of Cornelius Tiers;

No. 236. An act for the relief of the heirs and legal representatives of George C. Willard;

in which amendments I am directed to ask the concurrence of this House. And then he withdrew.

On motion of Mr. Cambreleng,

The House granted the conference asked by the Senate on the disagreeing vote of the two Houses on the amendments of the Senate depending to the bill (No. 981) making appropriations for the civil and diplomatic expenses of Government for the year 1839; and

Mr. Bond, Mr. Atherton, and Mr. Lincoln, were appointed managers to conduct the said conference on the part of this House.

Ordered, That the Clerk acquaint the Senate therewith.

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Briggs reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the amendments of the Senate to the bill (No. 897) entitled "An act making appropriations for the support of the army for the year

1839," and had concurred in part and disagreed to part of said amendments. That the committee had also had under consideration the amendments of the Senate to the bill (No. 895) entitled "An act making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with the various Indian tribes for the year 1839," and had come to no resolution thereon.

The amendments of the Senate to the bill (No. 897) entitled "An act making appropriations for the support of the army for the year 1839," were then again read, and were concurred in by the House, except those which propose to add three new sections to said bill, as the 4th, 5th, and 6th sections thereof.

The 4th section, thus proposed to be added, was then amended, and agreed to.

The 5th section of said amendments was then read; and on the question to concur with the Committee of the Whole House in their disagreement thereto,

It passed in the affirmative;

And the question recurred on concurring in the 6th section of the said amendments;

And after debate, the hour of three o'clock arrived, and the House took a recess.

HALF-PAST FOUR O'CLOCK P. M.

The House resumed its session.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz:

No. 81. An act for the relief of Peter Barge, junior;

No. 1011. An act for the relief of Nicholas Phelan, heir at law of John Phelan, deceased;

No. 1090. An act making appropriations for preventing and suppressing Indian hostilities for the year 1839;

No. 1093. An act for the relief of the heirs of Crocker Sampson, deceased;

No. 1061. An act to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes;

No. 1031. An act providing for the erection of a fire-proof building for the use of the General Post Office Department;

No. 920. An act for the relief of the legal representatives of Major Tarlton Woodson, deceased, (balance of pay);

No. 973. An act for the relief of Frederick Richmond;

No. 881. An act for the relief of the assignees of Jacob Clements, deceased;

No. 879. An act for the relief of John L. McCarty;

No. 878. An act for the relief of Woodburn Potter;

No. 838. An act for the relief of Andrew Rembert;

No. 837. An act for the relief of William Traverse;

No. 811. An act for the relief of the legal representatives of the late Dr. James H. Cheears;

No. 765. An act for the relief of E. H. Williams, administrator of the estate of Dr. Hazel W. Crouch;

No. 471. An act for the relief of the legal representatives of A'bra Smith ;

No. 419. An act for the relief of Nathaniel Plumb ;

No. 400. An act for the relief of Return B. Brown ;

No. 159. An act for the relief of Farish Carter and the heirs of Charles Williamson, deceased ;

and found them correctly enrolled : whereupon,

The Speaker signed the said bills.

The House proceeded to the consideration of the following resolutions moved yesterday, viz :

Resolved, That the Clerk of this House be, and he is hereby, authorized and required to pay to each messenger and page in attendance on the House the usual allowance for extra services.

Resolved, That the Clerk of the House of Representatives be directed to pay the usual extra compensation to each of the watch and to the lamp-lighter of the Capitol.

The previous question was moved by Mr. Sherrod Williams, and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put,

And passed in the affirmative.

The main question was then put, viz: Will the House agree to the resolutions ?

And passed in the affirmative.

Mr. Cambreleng moved the following resolution:

Resolved, That the doorkeeper be directed to continue, during the recess, the services of Charles W. Stewart, one of the messengers, to aid in keeping and cleaning that part of the Capitol which is in the use of this House and its offices and committees.

The said resolution was read; and several amendments being proposed thereto,

The previous question was moved by Mr. Cambreleng, and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Will the House agree to the said resolution ?

And passed in the affirmative.

On motion of Mr. White, of Indiana,

Ordered, That leave be given to withdraw the land warrant accompanying the bill for the relief of Abraham Stipp.

On motion of Mr. McClellan, of Tennessee,

Ordered, That leave be given to withdraw the petition and papers of David Childress, a revolutionary soldier, of Sullivan county, Tennessee.

The House resumed the consideration of the 6th section of the amendments of the Senate to the bill (No. 697) entitled "An act making appropriations for the support of the army for the year 1839;" which said 6th section is as follows :

"Sec. 6. *And be it further enacted*, That, for the reimbursement of such sums of money as have been found due to the State of Massachusetts, by the Secretary of War, under the provisions of an act of Congress

approved the 31st day of May, anno Domini 1830, entitled 'An act to authorize the payment of the claim of the State of Massachusetts for certain services of her militia during the late war,' two hundred and seventy-two thousand seven hundred and sixteen dollars and fourteen cents."

And on the question that the House do concur with the Committee of the Whole House in their disagreement to said 6th section,

It passed in the affirmative,	{	Yeas,	83,
		Nays,	64.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. Linn Banks
William Beatty
Andrew Beirne
Bennet Bicknell
Samuel Birdsall
John C. Brodhead
Isaac H. Bronson
C. C. Cambreleng
John Campbell
William B. Carter
Zadok Casey
John Chambers
Reuben Chapman
Richard Cheatham
Walter Coles
Henry W. Connor
George W. Crabb
Samuel Cushman
William C. Dawson
Edmund Deberry
John I. De Graff
George H. Dunn
John Edwards
Franklin H. Elmore
Isaac Fletcher
Jacob Fry, jr.
James Garland
Abraham P. Grant

Mr. Hiram Gray
John K. Griffin
Richard Hawes
Orrin Holt
George W. Hopkins
William H. Hunter
Robert M. T. Hunter
Thomas B. Jackson
William Cost Johnson
Nathaniel Jones
John W. Jones
George M. Keim
John Klingensmith, jr.
Dixon H. Lewis
Henry Logan
Arphaxed Loomis
Francis S. Lyon
Francis Mallory
James M. Mason
Joshua L. Martin
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
William Montgomery
William S. Morgan
John L. Murray

Mr. William H. Noble
John Palmer
Amasa J. Parker
Lemuel Paynter
David Petrikin
Francis W. Pickens
Arnold Plumer
John H. Prentiss
Abraham Rencher
Francis E. Rives
John Robertson
Edward Rumsey
Samuel T. Sawyer
Augustine H. Shepperd
Charles Shepard
James B. Spencer
Archibald Stuart
Henry Swearingen
William Taylor
Francis Thomas
Obadiah Titus
Hopkins L. Turney
Henry Vail
Lewis Williams
Sherrod Williams
Jared W. Williams
Archibald Yell

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
John W. Allen
Hugh J. Anderson
John Bell
Nathaniel B. Borden
George N. Briggs
William B. Calhoun
John C. Clark
Robert B. Cranston
Caleb Cushing
Edward Darlington
Thomas Davee
George Evans
Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore
Rice Garland
Patrick G. Goode
William Graham
George Grennell, jr.

Mr. James Harlan
Alexander Harper
William S. Hastings
Thomas Henry
William Herod
Jabez Jackson
John P. Kennedy
Levi Lincoln
Richard P. Marvin
Thomas M. T. McKennan
Charles F. Mercer
John J. Milligan
Charles Naylor
Joseph C. Noyes
William Parmenter
Virgil D. Parris
James A. Pearce
Luther C. Peck
Lancelot Phelps
David Potts, jr.
Harvey Putnam

Mr. James Rariden
John Reed
Joseph Ridgway
Edward Robinson
David Russell
Leverett Saltonstall
John Sergeant
Mark H. Sibley
William Slade
Francis O. J. Smith
William W. Southgate
Charles C. Stratton
John Taliaferro
Joseph L. Tillinghast
George W. Toland
Isaac Toucey
Albert S. White
John White
Christopher H. Williams
Henry A. Wise
Thomas J. Word.

Ordered, That the Clerk notify the Senate of the proceedings of the House on the amendments to said bill.

The House again resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Briggs reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the amendments of the Senate to the bill (No. 895, entitled "An act making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with the various Indian tribes for the year 1839," and that the committee had concurred in part of said amendments without amendment, and in others with amendments, and had disagreed to others of said amendments.

The report of the Committee of the Whole House on the said amendments was then considered, and on the question put thereon, concurred in by the House.

A motion was made by Mr. Rariden that the House do resolve itself into the Committee of the Whole House on the bill from the Senate (No. 53) making appropriations for the continuation of the Cumberland road:

And the question being put,

It passed in the negative, { Yeas, 74.
Nays, 72.

The yeas and nays being desired by one-fifth of the members present:

Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John W. Allen
J. Banker Aycrigg
William Key Bond
Nathaniel B. Borden
George N. Briggs
Andrew Buchanan
William B. Carter
Zadok Casey
John Chambers
John C. Clark
Robert B. Cranston
Caleb Cushing
Edward Darlington
Edward Davies
John Dennis
George H. Dunn
George Evans
Horace Everett
John Ewing
Millard Fillmore
Jacob Fry, jr.
Rice Garland

Mr. Patrick G. Goode
William Graham
George Grennell, jr.
Hiland Hall
James Harlan
Alexander Harper
William S. Hastings
Richard Hawes
William Herod
Ogden Hoffman
William H. Hunter
Henry Johnson
William Cost Johnson
John P. Kennedy
Daniel P. Leadbetter
Levi Lincoln
Henry Logan
Richard P. Marvin
William L. May
Thomas M. T. McKennan
Richard H. Menefee
Charles F. Mercer
John J. Milligan
John Miller
William S. Morgan

Mr. Charles Naylor
Joseph C. Noyes
Charles Ogle
James A. Pearce
Luther C. Peck
John Pope
David Potts, jr.
Harvey Putnam
James Rariden
John Reed
Joseph Ridgway
Edward Robinson
David Russell
Mark H. Sibley
William Slade
William W. Southgate
Henry Swearingen
Joseph L. Tillinghast
Hopkins L. Turner
Taylor Webster
Aldert S. White
John White
Christopher H. Williams
Archibald Yell

Those who voted in the negative are—

Mr. Hugh J. Anderson
Charles G. Atherton
William Beatty
John Bell
Bennet Bicknell
Samuel Birdsall
C. C. Cambreleng
William B. Campbell
John Campbell

Mr. Reuben Chapman
Richard Cheatham
Walter Coles
George W. Crabb
Samuel Cushman
William C. Dawson
Thomas Davee
Edmund Deberry
John T. De Graff

Mr. George C. Dromgoole
Franklin H. Elmore
Isaac Fletcher
Albert Gallup
James Garland
William J. Graves
John K. Griffin
Robert H. Hammond
Micajah T. Hawkins

Mr. Robert M. T. Hunter
 Thomas B. Jackson
 Jabez Jackson
 Nathaniel Jones
 John W. Jones
 George M. Keim
 Gouverneur Kemble
 Dixon H. Lewis
 Arphaxed Loomis
 Francis S. Lyon
 Francis Mallory
 James M. Mason
 Joshua L. Martin
 Abram P. Maury
 James J. McKay
 Robert McClellan
 Abraham McClellan

Mr. Charles McClure
 William Montgomery
 Samuel W. Morris
 John L. Murray
 William H. Noble
 John Palmer
 Amasa J. Parker
 Lemuel Paynter
 David Petrikin
 Francis W. Pickens
 Arnold Plumer
 John H. Prentiss
 Abraham Rencher
 Francis E. Rives
 John Robertson
 Samuel T. Sawyer
 Augustine H. Shepperd

Mr. Charles Shepard
 Ebenezer J. Shields
 James B. Spencer
 Edward Stanly
 William Stone
 Charles C. Stratton
 John Taliaferro
 William Taylor
 Obadiah Titus
 Isaac Toucey
 George W. Towns
 Lewis Williams
 Sherrod Williams
 Jared W. Williams
 Henry A. Wise
 Thomas J. Word.

Mr. Noyes, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States enrolled bills of the following titles, viz :

No. 81. An act for the relief of Peter Bargo, jr.

No. 1011. An act for the relief of Nicholas Phelan, heir at law of John Phelan, deceased.

No. 1090. An act making appropriations for preventing and suppressing Indian hostilities for the year 1839.

No. 1093. An act for the relief of the heirs of Crocker Sampson, deceased.

No. 1061. An act to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes.

No. 1031. An act providing for the erection of a fire-proof building for the use of the General Post Office Department.

No. 973. An act for the relief of Frederick Richmond.

No. 920. An act for the relief of the legal representatives of Major Tarlton Woodson, deceased.

No. 881. An act for the relief of the assignees of Jacob Clements, deceased.

No. 879. An act for the relief John L. McCarty.

No. 878. An act for the relief Woodburn Potter.

No. 838. An act for the relief of Andrew Rembert.

No. 837. An act for the relief of William Traverse.

No. 811. An act for the relief of the legal representatives of the late Dr. James H. Cheears.

No. 765. An act for the relief of E. H. Williams, administrator of the estate of Dr. Hazel W. Crouch.

No. 471. An act for the relief of the legal representatives of Adam Smith.

No. 419. An act for the relief of Nathaniel Plumb.

No. 400. An act for the relief of Return B. Brown.

No. 159. An act for the relief of Farish Carter and the heirs of Charles Williamson, deceased.

Mr. Bond, from the managers appointed to conduct the conference on the part of this House, on the disagreeing votes of the two Houses on amendments of the Senate depending to the bill (No. 981) entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1839," made a report as follows :

"That the conferees have agreed to recommend to their respective Houses that the Senate recede from so much of its first amendment to said bill as is included within these words : '*Provided, That the printing the said Biennial Register, and the job printing, stationary, and binding, of each of the Executive Departments, shall be furnished by contract : proposals for which shall regularly be advertised for in the public prints :*' and that it do insist on the residue of its said first amendment, and recommend the insertion of the following words in the place of those proposed to be stricken out, viz : '*The classes, character, and description,*' "

The report of the managers having been read and considered, it was *Resolved*, That the House do agree thereto, and that the said bill do pass, modified accordingly.

Ordered, That the Clerk acquaint the Senate therewith.

A motion was subsequently made by Mr. Bond, that the House do reconsider the vote agreeing to the report of the managers aforesaid ;

And, after debate,

The previous question was moved by Mr. Sherrod Williams, and being demanded by a majority of members present,

The said previous question was put, viz : Shall the main question be now put ?

And passed in the affirmative.

The main question was then put, viz : Will the House reconsider the said vote ?

And passed in the negative.

The rules being suspended for the purpose,

The joint resolution from the Senate (No. 6) authorizing the purchase of an island in the river Delaware, called the "Pea-patch," and for other purposes, was read the first and second time, and committed to the Committee of the Whole House on the state of the Union.

Mr. Campbell, of South Carolina, from the Committee on Enrolled Bills reported that the committee did this day present to the President of the United States enrolled bills of the following titles, viz :

No. 1022. An act for the relief of Philip Catner.

No. 971. An act for the relief of Patrick Green.

No. 392. An act making an appropriation for the protection of the Northern and Northwestern frontier of the United States.

No. 735. An act for the relief of Herman Harris, of the city of New York.

No. 714. An act for the relief of Thomas Cushing.

No. 677. An act for the relief of the heirs of William Graham, deceased.

No. 669. An act for the relief of umbrellamakers.

No. 662. An act for the relief of John Dougherty, of Wisconsin.

No. 637. An act for the relief of William Marcus, of Arkansas.

No. 304. An act for the relief of Benjamin Hewitt.

No. 302. An act for the relief of Dudley Walker.

No. 245. An act for the relief of Stephen Marsters.

No. 167. An act to authorize the President of the United States to cause to be issued to Michael Armbrister, assignee of Usse Yoholo, a Creek Indian, a patent for a certain reservation of land in the State of Alabama.

No. 158. An act for the relief of William Moor, and for other purposes.

No. 447. An act for the relief of John Balch, jr.

No. 469. An act providing for paying three companies of militia.

No. 896. An act making appropriations for the naval service for the year 1839.

No. 1176. An act giving to the President of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes.

No. 1053. An act for the relief of Joseph Jackson.

No. 852. An act for the relief of Caroline Taylor.

No. 810. An act for the relief of the legal representatives of Dunscomb Bradford, deceased.

No. 698. An act to confirm the claim of Charles Morgan, in right of Simon Porché, to a tract of land.

No. 520. An act for the relief of the legal representatives of Michael Fenwick, deceased.

No. 396. An act for the relief of Winslow Lewis.

No. 379. An act for the relief of Zebulon Sheets.

No. 357. An act for the relief of John and Samuel Rowe, heirs and legal representatives of Ludwick Rowe, deceased.

No. 297. An act for the relief of James Cooper.

No. 295. An act for the relief of William Washington Bigham.

No. 173. An act for the relief of Benjamin Hewitt.

No. 172. An act for the relief of Spencer C. Gist.

No. 171. An act for the relief of the representatives of Henry Richardson, deceased.

No. 168. An act for the relief of Milly Yates.

No. 162. An act for the relief of Henry L. Reviere.

No. 359. An act for the settlement of the accounts of Edmund Roberts, late diplomatic agent of the United States to Cochin China, Muscat, and Siam.

A message was received from the President of the United States, by Abraham Van Buren, his private secretary, notifying that the President did this day approve and sign enrolled bills of the following titles, viz :

No. 1176. An act giving to the President of the United States additional powers for the defence of the United States in certain cases, against invasion, and for other purposes.

No. 160. An act for the relief of Etienne (Stephen) La Lande, of Alabama.

No. 172. An act for the relief of Spencer C. Gist.

No. 304. An act for the relief of Benjamin Hewitt.

No. 295. An act for the relief of William Washington Bigham.

No. 396. An act for the relief of Winslow Lewis.

No. 520. An act for the relief of the legal representatives of Michael Fenwick, deceased.

No. 698. An act to confirm the claim of Charles Morgan, in the right of Simon Porché, to a tract of land.

No. 892. An act making appropriation for the protection of the Northern and Northwestern frontier of the United States.

No. 896. An act making appropriations for the naval service for the year one thousand eight hundred and thirty-nine.

No. 1053. An act for the relief of Joseph Jackson.

No. 852. An act for the relief of Cornelius Taylor.

No. 810. An act for the relief of the legal representatives of Dunscomb Bradford, deceased.

No. 468. An act for the relief of Samuel McComb.

No. 483. An act for the relief of Ezekiel Jones.

No. 547. An act for the relief of Solomon Sturges, assignee of Rezz Frazier.

No. 162. An act for the relief of Henry L. Reviere.

No. 270. An act for the relief of Henry Lynch.

No. 307. An act for the relief of the legal representatives of William Tudor, jr.

No. 344. An act for the relief of George Innes.

No. 346. An act for the relief of the heirs and assignees of Peter Alba, deceased.

No. 374. An act for the relief of Polly Lining, executrix of the last will and testament of Charles Lining, deceased, who, in his lifetime, and at the time of his death, was executor of the last will and testament of Edward Blake, deceased.

No. 631. An act for the relief of Paul Poissot.

No. 583. An act for the relief of James Selby.

No. 359. An act for the settlement of the accounts of Edmund Roberts, late diplomatic agent of the United States to Cochinchina, Muscat, and Siam.

No. 758. An act for the relief of William Grozer.

No. 719. An act for the relief of John L. Allen.

No. 642. An act for the relief of John Blanc.

No. 609. An act for the relief of Enoch Matson.

No. 531. An act for the relief of John Brown and company.

No. 535. An act for the relief of Abel A. Pasko and others.

No. 414. An act for the relief of Daniel Ward and George Ficklin.

No. 844. An act for the relief of Isaac Conly.

No. 769. An act for the relief of Richard Hendley.

No. 168. An act for the relief of Milly Yates.

No. 171. An act for the relief of the representatives of Henry Richardson, deceased.

No. 297. An act for the relief of James Cooper.

No. 357. An act for the relief of John and Samuel Rowe, heirs and legal representatives of Ludwick Rowe, deceased.

No. 379. An act for the relief of Zebulon Sheets.

No. 930. An act granting a pension to Susannah Roe, widow of John Roe, deceased.

No. 925. An act for the relief of Solomon Prewett.

No. 566. An act for the relief Captain John Vannettin and his company, for their services during the late war.

No. 825. An act for the relief of Isaac Lilley.

No. 819. An act to authorize the trustees of the township of Oxford, in the county of Butler and State of Ohio, to enter a section of land in lieu of section sixteen, in said township, for the use of schools.

No. 789. An act for the relief of Samuel Massey and Thomas James of the county of Crawford, in the State of Missouri.

No. 775. An act for the relief of the legal representatives of James Maxwell, of Pennsylvania.

No. 716. An act for the relief of Abraham Stipp.

No. 640. An act for the relief of Joseph Pierce and others.

No. 857. An act for the relief of Jesse Seymour, or his representatives, and in alteration of an act entitled "An act respecting the late officers and crew of the sloop of war Wasp," approved April 20, 1816.

No. 437. An act to provide for the settlement of the claims of Walter Jones against the United States.

No. 851. An act for the relief of Jamison and Williamson.

No. 859. An act for the relief of James L. Stokes, and for other purposes.

No. 856. An act for the relief of the widow or legal representatives of John Tilden.

No. 479. An act for the relief of George Rowe.

No. 481. An act to amend an act entitled "An act to revive a law regulating the pay and emoluments of brevet officers," passed April 16, 1818.

No. 420. An act for the relief of Ashbel Mason.

No. 1075. An act for the relief of Menzies Gillespie, late a soldier of the United States army.

No. 156. An act for the relief of James Moore.

No. 157. An act for the relief of the heirs and legal representatives of the late Robert Farmer, deceased.

No. 325. An act for the relief of Thomas Todd.

No. 946. An act for the relief of Sibel Barnes.

No. 997. An act granting a pension to Harvey Reynolds.

No. 1005. An act for the benefit of Eliphalet Spafford.

No. 1013. An act for the relief of Rosaline Prudhomme.

No. 1023. An act for the relief of Isaac Miller.

No. 1024. An act for the relief of Peter Samuel Jaccard.

No. 1025. An act to define and establish the eastern boundary-line of the Territory of Iowa.

No. 1050. An act for the relief Doctor J. M. Foltz.

No. 1058. An act to authorize the election or appointment of certain officers in the Territory of Iowa, and for other purposes.

No. 1115. An act to amend the organic law of the Territories of Wisconsin and Iowa.

No. 1064. An act for the relief of certain officers of the Florida militia.

No. 853. An act for the relief of Charles Rockwell.

No. 859. An act for the relief of the widow of Thomas Kibby.

No. 870. An act for the relief of Sarah Windham, widow of the late Joshua Lamb, a soldier of the Revolution.

No. 889. An act for the relief of Susan Gratiot, administratrix, and Charles H. Gratiot, administrator, of Henry Gratiot, deceased.

No. 158. An act for the relief of William Moor, and for other purposes.

No. 167. An act to authorize the President of the United States to cause to be issued to Michael Armbrister, assignee of Usse Yoholo, a Creek Indian, a patent for a certain reservation of land in Alabama.

No. 245. An act for the relief of Stephen Marsters.

No. 302. An act for the relief of Dudley Walker.

No. 714. An act for the relief of Thomas Cushing.

No. 173. An act for the relief of Benjamin Hewitt.

No. 971. An act for the relief of Patrick Green

No. 447. An act for the relief of John Balch, jr.

No. 469. An act providing for paying three companies of militia in the State of Indiana, called into service of the United States.

No. 637. An act for the relief of William Marcus, of Arkansas.

No. 662. An act for the relief of John Dougherty, of Wisconsin.

No. 669. An act for the relief of certain umbrellamakers of the city of Philadelphia.

No. 677. An act for the relief of William Graham, deceased.

No. 735. An act for the relief of Herman Harris, of the city of New York.

No. 1022. An act for the relief of Philip Catner.

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Howard reported that the Committee had, according to order, had the state of the Union generally under consideration, particularly the joint resolution from the Senate (No. 6) for the purchase of an island in the river Delaware, called the Pea-patch; and the bill from the Senate (No. 256) entitled "An act in addition to an act to promote the progress of the useful arts;" that he was directed to report the said resolution to the House with an amendment; and that upon the said bill the committee had come to no resolution.

The amendment to the joint resolution from the Senate (No. 6) for the purchase of an island in the river Delaware, called the Pea-patch, was then read; and

A motion was made by Mr. Rencher to amend the said amendment, by striking out the words "subject to the approbation of Congress;" which was decided in the negative;

And the amendment of the Committee of the Whole House was then concurred in.

A motion was made by Mr. McKay, further to amend said resolution, by striking out the words "paying out of the Treasury;" which was agreed to.

A motion was made by Mr. Harlan, further to amend said resolution, by striking out "Secretary of War" and inserting "President of the United States;" which was disagreed to by the House.

Ordered, That the amendments be engrossed, and that the resolution be read a third time to-day.

The amendments being engrossed, the said resolution was read the third time;

And on the question, Shall it pass?

It passed in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Howard reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill from the Senate (No. 256) entitled "An act in addition to an act to promote the progress of useful arts;" and the amendments of the Senate to the bill (No. 1146) entitled "An act to provide for the erection of a new jail in the city of Washington, in the District of Columbia;" that he was directed to report the bill from the Senate (No. 256) without amendment, and the concurrence of the committee in the amendments of the Senate to the bill No. 1146.

The amendments of the said bill (No. 1146) were then read and concurred in by the House.

Ordered, That the Clerk acquaint the Senate therewith.

The House proceeded to the consideration of the bill from the Senate (No. 256) entitled "An act in addition to an act to promote the progress of the useful arts."

A motion was made by Mr. Petrikin, that the said bill be amended, by striking therefrom the 11th section;

And after debate, the previous question was moved by Mr. Sherrod Williams, and being demanded by a majority of the members present,

The said previous question was put, viz: Shall the main question be now put?

And passed in the affirmative.

The main question was then put, viz: Shall the bill be read a third time? [the motion to strike out the 11th section being set aside by the previous question,]

And passed in the affirmative.

The said bill was then read the third time;

And on the question, Shall it pass?

It passed in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Dickins, their Secretary;

Mr. Speaker: The Senate have passed bills of this House, with amendments, of the following titles, viz:

No. 1138. An act to provide for taking the sixth census or enumeration of the inhabitants of the United States;

No. 1041. An act granting a pension to Mary Updegraff, of Butler county, Pennsylvania;

in which amendments I am directed to ask the concurrence of this House. The Senate have also passed, without amendment, bills of this House of the following titles, viz:

No. 1000. An act for the relief of David Rollins.

No. 807. An act for the relief of John Jones and Charles Souder, and Robinson, Carr, and Company.

No. 429. An act granting a pension to Michael McCray.

No. 1008. An act for the relief of Henry Grady.

No. 803. An act for the relief of Irad Kelly and Datus Kelly.

No. 1083. An act for the relief of James B. Rice.

No. 948. An act granting a pension to William Ford.

No. 1004. An act for the relief of Weight Hurlbut.

No. 990. An act for the relief of Frances Jones, widow of John Jones.

No. 333. An act for the relief of John McCarroll, jr.

No. 1034. An act to repeal the second section of "An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office," approved July 7, 1838.

No. 1094. An act making an appropriation for building light-houses, light-boats, beacon-lights, and buoys, for the year 1839.

No. 1003. An act for the relief of Gilbert Sprague Fish.

No. 1002. An act for the relief of John Clark.

No. 422. An act for the relief of Jairus Loomis, and the heirs of James Bassett.

No. 1112. An act for the relief of the Brothertown Indians, in the Territory of Wisconsin.

No. 708. An act for the relief of James H. Grant, Moses W. Simpson, and Preston Going.

No. 541. An act for the relief of Francis Mallaby.

No. 899. An act for the relief of Griffith Coombe and John P. Ingle, trustees of the house, in the city of Washington, commonly called the "Brick Capitol."

No. 793. An act for the relief of A. J. Pickett and George W. Gayle.

No. 233. An act for the relief of Lewis B. Willis, formerly acting deputy surveyor for the district of Mississippi.

No. 756. An act for the relief of Isaac D. Saunders.

No. 478. An act for the relief of Joseph Safford, and other heirs at law of Joseph Safford, late of the New Hampshire line in the revolutionary war.

No. 299. An act for the relief of William C. Hazard.

No. 296. An act for the relief of Aaron Stout.

No. 293. An act for the relief of John Dixon.

No. 163. An act for the relief of the legal representatives of Daniel Warner, deceased.

No. 161. An act for the relief of Margaret Kingsbury.

No. 1135. An act granting to the judges of the supreme court of Iowa the same compensation as by law is given to the judges of the supreme court of Wisconsin.

No. 327. An act for the relief of Zebulon Baxter.

No. 326. An act for the relief of William Clark.

No. 1134. An act to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes.

No. 502. An act granting a pension to Gideon Sheldon.

No. 381. An act for the relief of William S. Colquhoun.

No. 866. An act for the relief of the representatives of Ann Levacher de Van Brun.

No. 418. An act for the relief of certain settlers on what is called the Salt-lick reservation, in the western district of Tennessee.

No. 1081. An act to provide for the erection of public buildings in the Territory of Florida.

No. 1136. An act for the improvement and survey of certain rivers and the repair of certain roads in Florida.

No. 1049. An act for the relief of the widow of John Marche, deceased.

No. 1027. An act for the relief of Thomas M. Burland.

No. 817. An act for the relief of Robert M. Roberts, or his legal assignees.

No. 701. An act for the relief of David Ballentine.

No. 328. An act for the relief of Mary Sroufe.

No. 298. An act for the relief of John Borey, of Arkansas.

No. 166. An act for the relief of the heirs of Francis Jarvis.

No. 294. An act for the relief of Polly Lemon.

No. 335. An act for the relief of the legal representatives of John Dawson, deceased.

No. 630. An act for the relief of J. Eloï Rachal.

No. 632. An act for the relief of Henry Stoker, William G. Belknap, and Benjamin Walker.

No. 644. An act for the relief of Stephen P. W. Douglass.

No. 26. Resolution for the benefit of Edward Beatty, of Missouri.

And then he withdrew.

The amendment of the Senate to the bill (No. 1138) entitled "An act to provide for taking the sixth census or enumeration of the inhabitants of the United States," was read and concurred in.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Dickins, their Secretary :

Mr. Speaker : The Senate have agreed to the report of the managers, at the conference, on the disagreeing votes of the two Houses on amendments proposed by the Senate, and depending to the bill (No. 991) entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1839;" and have resolved that the said bill do pass, with the amendments modified accordingly.

The Senate concur in the amendments of this House to the 1st and 2d sections of their amendments to the bill (No. 897) entitled "An act making appropriations for the support of the army for the year 1839."

The Senate concur in the last clause of the amendment of this House to the 4th section of their amendments to said bill, and disagree to the first clause; and the Senate recede from the 5th and 6th sections of their amendments to said bill.

I am instructed by the Senate to request the House of Representatives to return to the Senate the bill (No. 301) entitled "An act to authorize the Secretary of the Navy to purchase a tract of land belonging to the heirs of John Harris, deceased, lying within the limits of the navy yard in Charlestown, Massachusetts," for the further action of the Senate thereon.

The Senate insist on one of their amendments, disagreed to by this House, to the bill (No. 895) entitled "An act making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with the various Indian tribes for the year 1839;" disagree to the 16th and 17th sections of the amendments of this House to their amendments to said bill; and recede from all other of their amendments to said bill which have been disagreed to by the House of Representatives.

The Senate have passed a bill (No. 370) entitled "An act for the relief of Thomas Sinnard." And then he withdrew.

The House proceeded to the reconsideration of the first part of its amendment to the 4th section of the amendments of the Senate to the bill (No. 897) entitled "An act making appropriations for the support of the army for the year 1839," which had been disagreed to by the Senate: when it was

Resolved, That the House do recede from the said first part of the said amendment.

And so the bill was passed by both Houses.

Ordered, That the Clerk acquaint the Senate therewith.

The House proceeded to the consideration of the amendments of the Senate to the bill (No. 895) entitled "An act making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with the various Indian tribes for the year 1839:" when it was

Resolved, That the House do recede from its disagreement to the amendment insisted on by the Senate; and that the House do also recede

from the 16th and 17th sections proposed as amendments to the amendments of the Senate to the said bill.

And so the said bill was passed by both Houses.

Ordered, That the Clerk acquaint the Senate therewith.

The House proceeded to the consideration of the message from the Senate asking the return of the bill (No. 301) "to authorize the Secretary of the Navy to purchase a tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts:" when it was

Ordered, That the said bill be returned to the Senate.

Ordered, That the bill from the Senate (No. 62) entitled "An act for the benefit of the Selma and Tennessee Railroad Company" be committed to the Committee of the Whole House on the state of the Union.

A motion was made that the House resolve itself into the Committee of the Whole on sundry bills from the Senate: which motion was divided so as to take the question on each bill separately.

And the question was then put on bill (No. 62) "for the benefit of the Selma and Tennessee Railroad Company," and carried in the affirmative: The question was then put on going into Committee of the Whole on the bill from the Senate (No. 61) entitled "An act for the benefit of the Florida, Georgia, and Alabama Railroad Company,"

And passed in the negative, { Yeas, 61.
 { Nays, 72.

The yeas and nays being desired by one-fifth of the members present.

Those who voted in the affirmative are—

Mr. Herman Allen
John W. Allen
John Bell
James W. Bouldin
John C. Brodhead
Isaac H. Bronson
C. C. Cambreleng
William B. Carter
Zadok Casey
Reuben Chapman
John C. Clark
George W. Crabb
Edward Curtis
William C. Dawson
George C. Dromgoole
Franklin H. Elmore
George Evans
Millard Fillmore
Jacob Fry, jr.
Rice Garland
William Graham
William J. Graves

Mr. James Harlan
Albert G. Harrison
Ogden Hoffman
William H. Hunter
Jabez Jackson
Daniel Jenifer
Henry Johnson
Nathaniel Jones
George M. Keim
Gouverneur Kemble
Dixon H. Lewis
Henry Logan
Francis S. Lyon
Richard P. Marvin
Joshua L. Martin
Abram P. Maury
Abraham McClellan
Charles McClure
Charles F. Mercer
John J. Milligan
John Miller

Mr. William Montgomery
Charles Naylor
John Palmer
Amasa J. Parker
David Potts, jr.
John H. Prentiss
Samuel T. Sawyer
Ebenezer J. Shields
Mark H. Sibley
Francis O. J. Smith
William Stone
George W. Towne
Hopkins L. Turner
Henry Vail
Albert S. White
John White
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Wood
Archibald Yell

Those who voted in the negative are—

Mr. John Quincy Adams
James Alexander, jr.
Charles G. Atherton
William Beatty
Bennet Bicknell
Nathaniel B. Borden
George N. Briggs
William B. Campbell
Richard Cheatham
Timothy Childs

Mr. Walter Coles
Henry W. Connor
Robert B. Cranston
Samuel Cushman
Edward Darlington
Thomas Davee
Edmund Deberry
George H. Dunn
Horace Everett
John Ewing

Mr. James Farrington
James Garland
Patrick G. Good
Abraham P. Grant
George Grennell, jr.
Hiland Hall
William S. Hastings
Micaiah T. Hawkins
William Herod
Benjamin C. Howard

Mr. Thomas B. Jackson
 William Cost Johnson
 John W. Jones
 John P. Kennedy
 John Klingensmith, jr.
 Daniel P. Leadbetter
 Levi Lincoln
 Arphaxed Loomis
 James M. Mason
 James J. McKay
 Robert McClellan
 Thomas M. T. McKennan
 William S. Morgan
 Charles Ogle

Mr. Virgil D. Parris
 Lemuel Paynter
 Luther C. Peck
 David Petrikin
 Arnold Plumer
 John Pope
 Zadock Pratt
 James Rariden
 Joseph F. Randolph
 John Reed
 Joseph Ridgway
 Francis E. Rives
 John Robertson
 Edward Robinson

Mr. David Russell
 Augustine H. Shepperd
 William Slade
 William W. Southgate
 Archibald Stuart
 Charles C. Stratton
 Henry Swearingen
 John Taliaferro
 William Taylor
 Obadiah Titus
 Taylor Webster
 Lewis Williams
 Sherrod Williams
 Jared W. Williams.

The question was then put on going into Committee of the Whole on the bill from the Senate (No. 176) entitled "An act to grant the right of pre-emption to a quantity of land to aid in the construction of a railroad from New Albany, in the State of Indiana, to Mount Carmel, in the State of Illinois;"

And passed in the negative.

The questions were then severally put, and passed in the affirmative, on going into Committee of the Whole House on the bill from the Senate (No. 155) supplementary to "An act entitled 'An act to amend an act for the appointment of commissioners to adjust the claims to reservations of land under the 14th article of the treaty of 1830, with the Choctaw Indians,'" the bill from the Senate (No. 281) to amend an act of the 3d March, 1837, entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States, and for other purposes,'" and the bill from the Senate (No. 224) "to authorize the Secretary of the Treasury to extend the time for the payment of the duties upon certain bonds given by the Alabama, Florida, and Georgia Railroad Company, for duties upon a quantity of railroad iron, and for the laying the said iron upon railroads."

The House resolved itself into the Committee of the Whole House on the state of the Union; and, after some time spent therein, the Speaker resumed the chair, and Mr. Briggs reported that the committee had, according to order, had the state of the Union generally under consideration, particularly the bill from the Senate (No. 62) "for the benefit of the Selma and Tennessee Railroad Company," and had come to no resolution thereon.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee had examined an enrolled bill (No. 256) entitled "An act in addition to 'An act to promote the progress of the useful arts,'" and found the same to be truly enrolled: when

The Speaker signed the said bill.

A message from the Senate, by Mr. Dickens, their Secretary:

Mr. Speaker: The Senate have passed the bill (No. 301) entitled "An act to authorize the Secretary of the Navy to purchase a tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts," with an amendment; in which I am directed to ask the concurrence of this House. And the Senate have concurred in the amendment of this House to the joint resolution (No. 6) "authorizing the purchase of an island in the river Delaware called the Pea-patch, and for other purposes," with an amendment. And then he withdrew.

Mr. Keim submitted the following resolution :

Resolved, That the funeral expenses of Walter S. Franklin, deceased, late Clerk of this House, be paid by the present Clerk out of the contingent fund of the House.

The question was put that the House do agree to this resolution,
And passed in the affirmative *unanimously*.

A motion was made by Mr. Graves that the rules in relation to the order of business be suspended, and that the House now proceed to the consideration of the bill from the Senate (No. 173) entitled "An act to amend 'An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same,' passed April 18, 1806."

And on the question, Shall the rules be suspended for the purpose aforesaid ?

There appeared, { Yeas, 81,
 { Nays, 49.

The yeas and nays being desired by one-fifth of the members present,
Those who voted in the affirmative are—

Mr. James Alexander, jr.
Heman Allen
John W. Allen
John Bell
James W. Bouldin
George N. Briggs
John C. Brodhead
William B. Campbell
William B. Carter
Zadok Casey
Reuben Chapman
Richard Cheatham
Timothy Childs
John C. Clark
George W. Crabb
Robert B. Craaston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
George H. Dunn
John Edwards
George Evans
Horace Everett
Richard Fletcher
Millard Fillmore

Mr. James Garland
Rice Garland
Patrick G. Goode
William Graham
Abraham P. Grant
William J. Graves
Hiram Gray
George Grennell, jr.
Hiland Hall
James Harlan
William Herod
Ogden Hoffman
William H. Hunter
Jabez Jackson
Daniel Jenifer
Henry Johnson
John P. Kennedy
John Kingensmith, jr.
Dixon H. Lewis
Francis S. Lyon
Richard P. Marvin
Joshua L. Martin
Abram P. Meary
Abraham McClellan
Charles McClure
Thomas M. T. McKennau
Richard H. Menefee

Mr. Charles Taylor
Luther C. Peck
Arnold Plumer
John Pope
David Potts, jr.
Harvey Putnam
James Rariden
Joseph Ridgway
Edward Robinson
David Russell
Ebenezer J. Shields
Mark H. Sibley
William Slade
William W. Southgate
Archibald Stuart
William Stone
Charles C. Stratton
John Takafervo
Joseph L. Tilghast
Taylor Webster
Albert S. White
John White
Sherrod Williams
Joseph L. Williams
Christopher H. Williams
Henry A. Wise
Thomas J. Word

Those who voted in the negative are—

Mr. John Quincy Adams
Hugh J. Anderson
Charles G. Atherton
William Bently
Samuel Birdsell
Isaac H. Bronson
C. C. Cambreleng
Walter Coles
Henry W. Conner
Samuel Cushman
Edmund Deberry
John I. De Graff
George C. Drangoole

Mr. Alexander Duncan
James Farrington
Albert G. Harrison
Micajah T. Hawkins
Benjamin C. Howard
Thomas B. Jackson
Joseph Johnson
William Cost Johnson
John W. Jones
Gouverneur Kemble
Levi Lincoln
Henry Logan
James J. McKay

Mr. Charles F. Mercer
John Miller
William Montgomery
William S. Morgan
Samuel W. Morris
William H. Noble
John Palmer
William Parmenter
Virgil D. Paris
David Pettkin
John H. Prentiss
Francis E. Rives
John Robertson

Mr. Samuel T. Sawyer
Augustine H. Shepperd
James B. Spencer
Edward Stanly

Mr. Henry Swearingen
William Taylor
Francis Thomas

Mr. Obadiah Titus
Lewis Williams
Archibald Yell.

Two-thirds not voting in the affirmative, the question was lost.

On motion of Mr. Johnson, of Louisiana.

Ordered, That the Committee of the Whole House, to which is committed the bill from the Senate (No. 281) entitled "An act to amend the act of the 3d March, 1837, supplemental to the act entitled 'An act to amend the judicial system of the United States, and for other purposes,'" be discharged from the consideration thereof.

The House then proceeded to the consideration of said bill; and, having amended the same, it was

Ordered, That the amendments be engrossed, and the bill read a third time to-day.

The amendments being engrossed, the said bill was read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary, notifying that the President did, this day, approve and sign enrolled bills of the following titles, viz:

No. 81. An act for the relief of Peter Bargy, jr.

No. 400. An act for the relief of Return B. Brown.

No. 471. An act for the relief of the legal representatives of Adam Smith.

No. 765. An act for the relief of E. H. Williams, administrator of the estate of Doctor Hazel W. Crouch.

No. 159. An act for the relief of Farish Carter, and the heirs of Charles Williamson, deceased.

No. 811. An act for the relief of the legal representatives of the late Doctor James H. Cheears.

No. 837. An act for the relief of William Traverse.

No. 419. An act for the relief of Nathaniel Plumb.

No. 879. An act for the relief of John L. McCarty.

No. 838. An act for the relief of Andrew Rembert.

No. 878. An act for the relief of Woodburn Potter.

No. 851. An act for the relief of the assignees of Jacob Clements, deceased.

No. 1090. An act making appropriations for preventing and suppressing Indian hostilities for the year 1839.

No. 973. An act for the relief of Frederick Richmond.

No. 1011. An act for the relief of Nicholas Phelan, heir at law of John Phelan, deceased.

No. 1031. An act providing for the erection of a fire-proof building for the use of the General Post Office Department.

No. 920. An act for the relief of the legal representatives of Major Tarlton Woodson; (balance of pay.)

No. 1093. An act for the relief of the heirs of Crocker Sampson, deceased.

No. 1061. An act to authorize the construction of a road from Dubnque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes.

Mr. Campbell, of South Carolina, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz:

No. 948. An act granting a pension to William Ford, of the State of New York;

No. 1146. An act to provide for the erection of a new jail in the city of Washington, in the District of Columbia;

No. 1136. An act for the improvement and survey of certain rivers and the repair of certain roads in Florida;

No. 1135. An act granting to the judges of the supreme court of Iowa the same compensation as by law is given to the judges of the supreme court of Wisconsin;

No. 1134. An act to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes;

No. 1103. An act making a donation of land to the Territory of Iowa for the purpose of erecting public buildings thereon;

No. 1097. An act making appropriations for building a pier at the northern extremity of Winnebago lake, and for other purposes;

No. 1081. An act to provide for the erection of public buildings in the Territory of Florida;

No. 1018. An act for the relief of Chauncey Calhoun;

No. 1049. An act granting a pension to the widow of John Marks, deceased;

No. 1034. An act to repeal the second section of an act to extend the time for locating Virginia military land warrants, and returning surreys thereof to the General Land Office, approved July 7, 1838;

No. 1027. An act for the relief of Thomas M. Burland;

No. 1008. An act for the relief of Henry Grady, of Macon county, North Carolina;

No. 1004. An act for the relief of Weight Hurlbut;

No. 1002. An act for the relief of John Clark;

No. 1000. An act for the relief of David Rollins;

No. 990. An act granting a pension to Frances Jones, widow of John Jones, of the State of Virginia;

No. 899. An act for the relief of Griffith Coombe and John P. Ingram, trustees of the house in the city of Washington, commonly called "Brick Capitol;"

No. 866. An act for the relief of the legal representatives of Ann Lavacher de Van Brun;

No. 817. An act for the relief of Robert M. Roberts, or his legal assignees;

No. 807. An act for the relief of John Jones, Charles Souder, and Robinson, Carr, and company;

No. 803. An act for the relief of Irad Kelly and Datus Kelly;

No. 793. An act for the relief of A. J. Pickett and G. W. Gayle;

No. 756. An act for the relief of Isaac D. Saunders;

No. 708. An act for the relief of James H. Grant, Moses W. Simpson, and Preston Going;

No. 701. An act for the relief of David Ballentine;

No. 644. An act for the relief of Stephen P. W. Douglass;

No. 632. An act for the relief of Henry Stoker, William G. Bellamy, and Benjamin Walker;

- No. 630. An act for the relief of J. Eloi Rachal ;
No. 582. An act for the relief of Joseph R. Folsom, and the owners and crew of the schooner Galaxy, of Bucksport, in the State of Maine ;
No. 541. An act for the relief of Francis Mallaby ;
No. 478. An act for the relief of Joseph Safford, and other heirs at law of Joseph Safford, late of the New Hampshire line, in the revolutionary war ;
No. 429. An act granting a pension to Michael McCray ;
No. 422. An act for the relief of Jairus Loomis, and the heirs of James Bassett ;
No. 897. An act making appropriations for the support of the army for the year 1839 ;
No. 418. An act for the relief of certain settlers living on what is called the Salt-lick reservation, in the western district of Tennessee ;
No. 381. An act for the relief of William S. Colquhoun ;
No. 370. An act for the relief of Thomas Sinnard ;
No. 335. An act for the relief of the legal representatives of John Dawson, deceased ;
No. 333. An act for the relief of John McCarroll, jr.
No. 328. An act for the relief of the children and heirs of Sebastian Sroufe, late of Ohio, deceased ;
No. 327. An act for the relief of Zebulon Baxter ;
No. 326. An act for the relief of William Clark ;
No. 299. An act for the relief of William C. Hazard ;
No. 298. An act for the relief of John Borey, of Arkansas ;
No. 296. An act for the relief of Aaron Stout ;
No. 294. An act for the relief of Polly Lemon ;
No. 293. An act for the relief of John Dixon ;
No. 233. An act for the relief of Lewis B. Willis, formerly acting deputy surveyor for the district of Mississippi ;
No. 166. An act for the relief of the heirs of Francis Jarvis, deceased ;
No. 163. An act for the relief of the legal representatives of Daniel Warner, deceased ;
No. 161. An act for the relief of Margaret Kingsbury ;
No. 26. Resolution for the relief of Edward Beatty, of Missouri ;
and found them correctly enrolled ; whereupon
The Speaker signed the said bills.
The amendments of the Senate to the bill (No. 1041) entitled " An act granting a pension to Mary Updegraff," were read, considered, and agreed to by the House.
The amendments of the Senate to the bill (No. 301) entitled " An act to authorize the Secretary of the Navy to purchase a tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts," were read, considered, and agreed to by the House.
Ordered, That the Clerk acquaint the Senate therewith.
The House proceeded to the reconsideration of so much of their amendments to the joint resolution (No. 6) from the Senate, "authorizing the purchase of an island in the Delaware, called the Pea-patch, and for other purposes," as has been disagreed to by the Senate ; when
On motion of Mr. Curtis, it was
Resolved, That the House do recede from so much of its amendments to said resolution, as have been disagreed to by the Senate.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Cushman submitted the following resolution:

Resolved, That a committee be appointed on the part of this House, to be joined by such committee as may be appointed by the Senate, to wait on the President of the United States, to notify him that, unless he may have further communications to make, the two Houses of Congress, having completed the business before them, are ready to close the present session by an adjournment.

A motion was made by Mr. Ewing to amend the resolution, by striking out the words "having completed the business before them."

This motion was disagreed to.

And the resolution was then agreed to as moved by Mr. Cushman: and Mr. Cushman, Mr. John W. Jones, and Mr. Jenifer, were appointed of the committee on the part of this House.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. James Garland,

Ordered, That leave be given to withdraw the petition and papers of the heirs and representatives of John Robertson, deceased.

Mr. Keim, from the Committee on Enrolled Bills, reported that the committee had examined an enrolled bill (No. 981) entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1839," and found the same to be truly enrolled; when

The Speaker signed the said bill.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee had examined two enrolled bills, viz :

No. 1112. An act for the relief of the Brothertown Indians, in the Territory of Wisconsin;

No. 256. An act in addition to "An act to promote the progress of the useful arts;"

And found the same to be truly enrolled; when

The Speaker signed the said bills.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States enrolled bills of the following titles, viz :

No. 897. An act making appropriations for the support of the army for the year 1839.

No. 256. An act in addition to "An act to promote the progress of the useful arts."

No. 1112. An act for the relief of the Brothertown Indians, in the Territory of Wisconsin.

Mr. Yell, from the Committee on Enrolled bills, reported that the committee had examined an enrolled joint resolution (No. 6) to authorize the purchase of an island in the river Delaware, called the Pea-patch, and for other purposes; and found the same to be truly enrolled; when

The Speaker signed the said resolution.

Mr. Campbell, of South Carolina, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States enrolled bills of the following titles :

No. 26. Resolution for the relief of Edward Beatty, of Missouri.

No. 161. An act for the relief of Margaret Kingsbury.

No. 163. An act for the relief of the legal representatives of Daux Warren, deceased.

- No. 166. An act for the relief of the heirs of Francis Jarvis, deceased.
- No. 233. An act for the relief of Lewis B. Willis, formerly acting deputy surveyor for the district of Mississippi.
- No. 293. An act for the relief of John Dixon.
- No. 294. An act for the relief of Polly Lemon.
- No. 296. An act for the relief of Aaron Stout.
- No. 298. An act for the relief of John Borey, of Arkansas.
- No. 299. An act for the relief of William C. Hazard.
- No. 326. An act for the relief of William Clark.
- No. 327. An act for the relief of Zebulon Baxter.
- No. 328. An act for the relief of the children and heirs of Sebastian Sroufe, late of Ohio, deceased.
- No. 333. An act for the relief of John McCarroll, junior.
- No. 335. An act for the relief of the legal representatives of John Dawson, deceased.
- No. 370. An act for the relief of Thomas Sinnard.
- No. 381. An act for the relief of William S. Colquhoun.
- No. 418. An act for the relief of certain settlers living on what is called the Salt-lick reservation, in the western district of Tennessee.
- No. 422. An act for the relief of Jairus Loomis and the heirs of James Bassett.
- No. 429. An act granting a pension to Michael McCray.
- No. 478. An act for the relief of Joseph Safford, and other heirs at law of Joseph Safford, late of the New Hampshire line in the revolutionary war.
- No. 511. An act for the relief of Francis Mallaby.
- No. 582. An act for the relief of Joseph R. Folsom, and the owners and crew of the schooner Galaxy, of Bucksport, in the State of Maine.
- No. 630. An act for the relief of J. Eloi Rachal.
- No. 632. An act for the relief of Henry Stoker, William G. Belknap, and Benjamin Walker.
- No. 644. An act for the relief of Stephen P. W. Douglass.
- No. 701. An act for the relief of David Ballentine.
- No. 708. An act for the relief of James H. Grant, Moses W. Simpson, and Preston Going.
- No. 756. An act for the relief of Isaac D. Saunders.
- No. 793. An act for the relief of A. J. Pickett and George W. Gayle.
- No. 803. An act for the relief of Irad Kelly and Datus Kelly.
- No. 807. An act for the relief of John Jones and Charles Souder, and Robinson, Carr, & Company.
- No. 817. An act for the relief of Robert M. Roberts, or his legal assignees.
- No. 866. An act for the relief of the legal representatives of Ann Levacher de Van Brun.
- No. 899. An act for the relief of Griffith Coombe and John P. Ingle, trustees of the house in the city of Washington, commonly called "the Brick Capitol."
- No. 948. An act granting a pension to William Ford, of the State of Virginia.
- No. 990. An act granting a pension to Frances Jones, widow of John Jones, of the State of Virginia.
- No. 1000. An act for the relief of David Rollins.

No. 1002. An act for the relief of John Clark.

No. 1004. An act for the relief of Weight Hurlbut.

No. 1008. An act for the relief of Henry Grady, of Warren county, North Carolina.

No. 1018. An act for the relief of Chauncey Calhoun.

No. 1027. An act for the relief of Thomas M. Burland.

No. 1034. An act to repeal the second section of "An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office," approved July 7, 1838.

No. 1049. An act granting a pension to the widow of John Marche, deceased.

No. 1081. An act to provide for the erection of public buildings in the Territory of Florida.

No. 1097. An act making appropriations for building a pier at the northern extremity of Winnebago lake, and for other purposes.

No. 1103. An act making a donation of land to the Territory of Iowa for the purpose of erecting public buildings thereon.

No. 1134. An act to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes.

No. 1135. An act granting to the judges of the supreme court of Iowa the same compensation as by law is given to the judges of the supreme court of Wisconsin.

No. 1136. An act for the improvement and survey of certain rivers and the repair of certain roads in Florida.

No. 1146. An act to provide for the erection of a new jail in the city of Washington, in the District of Columbia.

No. 981. An act making appropriations for the civil and diplomatic expenses of Government for the year 1839.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, viz:

No. 1138. An act to provide for taking the sixth census or enumeration of the inhabitants of the United States;

No. 1041. An act granting a pension to Mary Updegraff, of Butler county, Pennsylvania;

No. 301. An act to authorize the Secretary of the Navy to purchase a tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts; and found the same to be truly enrolled: when

The Speaker signed the said bills.

On motion of Mr. Miller,

Ordered, That leave be given to withdraw the petition of Alfred Skinner.

A motion was made by Mr. Harlan that the rules in relation to the order of business be suspended, to enable him to submit the following resolution, viz:

Resolved, That the Secretary of the Treasury be requested to transmit to the Clerk of this House, so soon as the same is completed, a tabular statement of the names and amounts of all defaulters since the 4th of March, 1829, and which was called for by a resolution of the late Select Committee on Defalcations; and the same, when received by said Clerk, to be printed with the documents of this House.

And on the question, Shall the rules be suspended for the purpose aforesaid?

There appeared, { Yeas, 64,
 { Nays, 43.

The yeas and nays being desired by one-fifth of the members present, Those who voted in the affirmative are—

Mr. John Quincy Adams
James Alexander, jr.
Heman Allen
John Bell
George N. Briggs
William B. Campbell
Reuben Chapman
Richard Cheatham
Timothy Childs
John C. Clark
George W. Crabb
Robert B. Cranston
John W. Crockett
Edward Curtis
Caleb Cushing
Edward Darlington
William C. Dawson
Edmund Deberry
John I. De Graff
George C. Dromgoole
George H. Dunn
George Evans

Mr. Horace Everett
John Ewing
Richard Fletcher
Millard Fillmore
Rice Garland
Patrick G. Goode
William J. Graves
George Grennell, jr.
James Harlan
Albert G. Harrison
William S. Hastings
Daniel Jenifer
Henry Johnson
William Cost Johnson
John P. Kennedy
Richard P. Marvin
John P. B. Maxwell
Richard H. Menefee
Charles F. Mercer
Charles Naylor
Luther C. Peck

Mr. John Pope
David Potts, jr.
James Rariden
John Reed
Edward Robinson
David Russell
Augustine H. Shepperd
Ebenezer J. Shields
Mark H. Sibley
William Slade
Francis O. J. Smith
Edward Stanly
Archibald Stuart
William Stone
Joseph L. Tillinghast
Lewis Williams
Sherrod Williams
Joseph L. Williams
Henry A. Wise
Thomas J. Word
Thomas Jones Yorke.

Those who voted in the negative are—

Mr. Charles G. Atherton
William Beatty
John C. Brodhead
Isaac H. Bronson
Zadok Casey
Walter Coles
Henry W. Connor
Samuel Cushman
Thomas Davee
Alexander Duncan
James Farrington
Abraham P. Grant
Hiram Gray
Micajah T. Hawkins
Benjamin C. Howard

Mr. Thomas B. Jackson
Gouverneur Kemble
John Klingensmith, jr.
Daniel P. Leadbetter
Dixon H. Lewis
Henry Logan
James J. McKay
Robert McClellan
Abraham McClellan
Charles McClure
John Miller
William Montgomery
William S. Morgan
Amasa J. Parker

Mr. William Parmenter
Virgil D. Parris
David Petrikin
Arnold Plumer
Zadock Pratt
Francis E. Rives
Henry Swearingen
Francis Thomas
Obadiah Titus
Isaac Toucey
Hopkins L. Turney
Henry Vail
Taylor Webster
Archibald Yell.

A quorum did not vote; so the question was not decided.

A message from the Senate, by Mr. Machen, chief clerk:

Mr. Speaker: The Senate have passed a joint resolution to suspend the 16th and 17th joint rules of the two Houses, so far as to allow of the transmission to the House of Representatives of a resolution of the Senate (No. 15) for the distribution in part of the Madison Papers; in which resolution I am directed to ask the concurrence of this House. And then he withdrew.

The said resolution was read, and concurred in by the House.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Machen, chief clerk:

Mr. Speaker: The Senate have passed a joint resolution (No. 15) for the distribution in part of the Madison Papers; in which resolution I am directed to ask the concurrence of this House. And then he withdrew.

The said resolution was read the first and second time, and ordered to be read a third time to-day.

The said resolution was then read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee had examined an enrolled bill (No. 281) entitled "An act to amend the act of the 3d March, 1837, entitled 'An act supplementary to the act entitled an act to amend the judicial system of the United States, and for other purposes;'"

Also, an enrolled bill (No. 295) entitled "An act making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with the various Indian tribes for the year 1839."

A message from the Senate, by Mr. Dickinson, their Secretary:

Mr. Speaker: The Senate have concurred in the resolution from the House for the appointment of a joint committee to wait on the President of the United States, and inform him that, unless he may have other communications to make, the two Houses of Congress, having completed the business before them, are ready to close the present session by an adjournment; and have appointed Mr. Hubbard and Mr. Fulton of the committee on their part. And then he withdrew.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee did this day present to the President of the United States enrolled bills of the following titles, viz:

No. 281. An act to amend the act of the 3d March, 1837, entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States, and for other purposes.'"

No. 301. An act to authorize the Secretary of the Navy to purchase tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts.

No. 295. An act making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with the various Indian tribes, for the year 1839.

No. 1041. An act granting a pension to Mary Updegraff, of Butler county, Pennsylvania.

No. 1138. An act to provide for taking the sixth census or enumeration of the inhabitants of the United States.

No. 6. Resolution authorizing the purchase of an island in the river Delaware, called the Pea-patch, and for other purposes.

Mr. Yell, from the Committee on Enrolled Bills, reported that the committee had examined an enrolled joint resolution (No. 15) "for the distribution in part of the Madison Papers," and found the same to be truly enrolled; when

The Speaker signed the said resolution.

Mr. Briggs, by leave, submitted the following resolution; which was read, and agreed to unanimously, viz:

Resolved, That the Clerk cause the usual monuments to be erected in the Congressional burial-ground to the memory of such members of the House of Representatives as have died whilst members, and for whom monuments have been omitted to be erected, and on the occasion of whose death the usual resolutions of respect were passed by the House.

A message from the Senate, by Mr. Dickinson, their Secretary:

Mr. Speaker: The Senate have been notified by the President of the United States that he did this day approve and sign enrolled bills and resolutions of the following titles, viz:

No. 8. Resolution authorizing the opening of an alley and the execution of certain deeds in the city of Washington.

No. 101. An act to extend the jurisdiction of the corporation of the city of Washington over the Potomac bridge.

No. 174. An act for the relief of the widow and heirs at law of Alexander Hamilton, deceased.

No. 256. An act in addition to "An act to promote the progress of the useful arts."

No. 6. Resolution to authorize the purchase of an island in the river Delaware, called the Pea-patch, and for other purposes.

A message was received from the President of the United States, by Mr. Abraham Van Buren, his private secretary, notifying that the President did this day approve and sign enrolled bills of the following titles, viz:

No. 1135. An act granting to the judges of the supreme court of Iowa the same compensation as by law is given to the judges of the supreme court of Wisconsin.

No. 1134. An act to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes.

No. 1103. An act making a donation of land to the Territory of Iowa, for the purpose of erecting public buildings thereon.

No. 1136. An act to provide for taking the sixth census or enumeration of the inhabitants of the United States.

No. 1041. An act granting a pension to Mary Updegraff, of Butler county, Pennsylvania.

No. 301. An act to authorize the Secretary of the Navy to purchase a tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts.

No. 1112. An act for the relief of the Brothertown Indians, in the Territory of Wisconsin.

No. 327. An act for the relief of Zebulon Baxter.

No. 333. An act for the relief of John McCarroll, jr.

No. 381. An act for the relief of William S. Colquhoun.

No. 328. An act for the relief of the children and heirs of Sebastian Sroufe.

No. 418. An act for the relief of certain settlers living on what is called the Salt-lick reservation, in the western district of Tennessee.

No. 429. An act granting a pension to Michael McCray.

No. 478. An act for the relief of Joseph Safford, and other heirs at law of Joseph Safford, late of the New Hampshire line in the revolutionary war, deceased.

No. 541. An act for the relief of Francis Mallaby.

No. 582. An act for the relief of Joseph R. Folsom, and the owners and crew of the schooner Galaxy, of Bucksport, in the State of Maine.

No. 644. An act for the relief of Stephen P. W. Douglass.

No. 335. An act for the relief of the legal representatives of John Dawson, deceased.

No. 708. An act for the relief of James A. Grant, Moses W. Simpson, and Preston Going.

No. 399. An act for the relief of Griffith Coombe and John P. Ingle,

trustees of the house, in the city of Washington, commonly called "the Brick Capitol."

No. 803. An act for the relief of Irad Kelly and Datus Kelly.

No. 990. An act granting a pension to Frances Jones, widow of John Jones, of the State of Virginia.

No. 817. An act for the relief of Robert M. Roberts, or his legal assignees.

No. 793. An act for the relief of A. J. Pickett and George W. Gayle.

No. 161. An act for the relief of Margaret Kingsbury.

No. 166. An act for the relief of the heirs of Francis Jarvis, deceased.

No. 233. An act for the relief of Lewis B. Willis, formerly acting deputy surveyor for the district of Mississippi.

No. 948. An act granting a pension to William Ford, of Virginia.

No. 1004. An act for the relief of Weight Hurlbut.

No. 1002. An act granting a pension to John Clark.

No. 370. An act for the relief of Thomas Sinnard.

No. 1008. An act for the relief of Henry Grady, of Macon county, North Carolina.

No. 1000. An act for the relief of David Rollins.

No. 1136. An act for the improvement and survey of certain rivers and the repair of certain roads in Florida.

No. 1146. An act to provide for the erection of a new jail in the city of Washington, District of Columbia.

No. 26. Resolution for the relief of Edward Beatty, of Missouri.

No. 756. An act for the relief of Isaac D. Saunders.

No. 895. An act making appropriation for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with the various Indian tribes for the year 1839.

No. 897. An act making appropriations for the support of the army for the year 1839.

No. 422. An act for the relief of Jairus Loomis and the heirs of James Bassett.

No. 632. An act for the relief of Henry Stoker, William G. Belknap, and Benjamin Walker.

No. 630. An act for the relief of J. Eloi Rachal.

No. 701. An act for the relief of David Ballentine.

No. 866. An act for the relief of the representatives of Ann Levacher de Van Brun.

No. 807. An act for the relief of John Jones and Charles Souder, and Robinson, Carr, and Company.

No. 981. An act making appropriations for the civil and diplomatic expenses of Government for the year 1839.

No. 293. An act for the relief of John Dixon.

No. 294. An act for the relief of Polly Lemon.

No. 296. An act for the relief of Aaron Stout.

No. 298. An act for the relief of John Borey, of Arkansas.

No. 163. An act for the relief of the legal representatives of Daniel Warner.

No. 299. An act for the relief of William C. Hazard, of Rhode Island.

No. 1027. An act for the relief of Thomas M. Burland.

No. 1018. An act for the relief of Chauncey Calhoun.

No. 326. An act for the relief of William Clark.

No. 1007. An act making appropriations for building a pier at the northern extremity of Winnebago lake, and for other purposes.

No. 1061. An act to provide for the erection of public buildings in the Territory of Florida.

No. 1049. An act granting a pension to the widow of John Marche, deceased.

No. 1034. An act to repeal the second section of an act to extend the time for locating Virginia military land warrants and returning surveys thereon to the General Land Office, approved July 7, 1838.

Mr. Cushman, from the joint committee appointed to wait on the President of the United States, and notify him that, unless he may have further communications to make, the two Houses of Congress, having completed the business before them, are ready to close the present session by an adjournment, reported that the committee had waited on the President, and discharged the duties for which it was appointed; and that the committee was informed by the President that he had no further communication to make to Congress at the present session.

On motion of Mr. Briggs,

Ordered, That a message be sent to the Senate, to notify that body that the House of Representatives, having completed the business before it, is now ready to close the present session of Congress by an adjournment.

The said message having been delivered,

A motion was made by Mr. Connor, at a quarter before two o'clock, in the morning of the 4th of March, 1839, that the House do adjourn;

And the question being put,

It passed in the affirmative; when

Mr. SPEAKER POLK rose, and addressed the House as follows:

Gentlemen of the House of Representatives:

In taking leave of this body, in all probability forever, emotions are excited which no language can adequately convey. When I look back to the period when I first took my seat in this House, and then look around me for those who were at that time my associates here, I find but few, very few, remaining. But five members who were here with me fourteen years ago, continue to be members of this body. My service here has been constant and laborious. I can, perhaps, say what but few others, if any, can—that I have not failed to attend the daily sittings of this House a single day since I have been a member of it, save on a single occasion, when prevented for a short time by indisposition. In my intercourse with the members of this body, when I occupied a place upon the floor, though occasionally engaged in debates upon interesting public questions, often of an exciting character, it is a source of unmingled gratification to me to recur to the fact, that on no occasion was there the slightest personal or unpleasant collision with any of its members. Maintaining, and at all times expressing, my own opinions firmly, the same right was freely conceded to others. Our discussions were, at that time, conducted with that courtesy and decorum, and respect for the opinions of others, which ought ever to prevail in a deliberative assembly. For four years past, the station I have occupied, and a sense of propriety in the divided and unusually excited state of public opinion and feeling which has existed both in this House and in the country, have precluded me from participating in your debates. Other duties were assigned me.

The high office of Speaker, to which it has been twice the pleasure of this House to elevate me, has been at all times one of labor and high responsibility. Its difficult and often delicate duties have been fully appreciated and freely expressed by all my predecessors. They have all borne testimony to the difficulty, nay, impossibility, of discharging its duties with entire satisfaction to all, espe-

cially in seasons of high political or party excitement. Whilst they have borne this testimony, I think I may truly affirm that none of them have had a severer ordeal to pass than has fallen to my lot. Frequent have been the occasions when, but for the indulgent and liberal support at all times given to me by this House, I should have been utterly unable to preserve that order and decorum which should ever attend the deliberations of the representatives of the people. It has been near my duty to decide more questions of parliamentary law and of order, many of them of a complex and difficult character, arising often in the midst of high excitement, in the course of our proceedings, than had been decided, it is believed, by all my predecessors, from the foundation of the Government. This House has uniformly sustained me, without distinction of the political parties of which it has been composed. Our records will show that, upon the numerous appeals which have been taken to the House, I have been sustained by both political parties, and also by decided and large majorities. Though, doubtless, I may often have fallen into error in promptly deciding novel questions, suddenly raised, I trust it was not on points material, and I know it was never intended. I return to this House my thanks for their constant support in the discharge of the arduous and difficult duties I have had to perform.

But, gentlemen, my acknowledgments are especially due to the majority of this House for the high and flattering evidence they have given me of their approbation of my conduct as the presiding officer of the House, by the resolution you have been pleased to pass. I regard this as the highest and most valued testimonial I have ever received from this House, because I learn that the circumstance under which it was passed has made it matter of substance, and not of mere form. I regard it as of infinitely more value than if it had been the common matter-of-course and customary resolution, which, in the courtesy usually prevailing between the presiding officer and the members of every deliberative assembly, is always passed at the close of their deliberations. That is unmeaning—is indiscriminately conferred—is a mere act of courtesy, and possesses, comparatively, but little value. I return to the majority of this House what I sincerely feel—my grateful thanks for this high evidence of their approbation and regard; given, as it has been, at a time of high party excitement, which, in the accomplishment of party and political objects, but too often disregards all other considerations. I shall bear it in grateful remembrance to the latest hour of my life.

I trust this high office may in future times be filled, as doubtless it will be, by abler men. It cannot, I know, be filled by any one who will devote himself with more zeal and untiring industry to do his whole duty than I have done.

We are now about to separate, many of us never again to meet. I wish you, gentlemen, a safe return to your families and friends; and whatever our respective future destinies may be, my prayer to a beneficent and overruling Providence is, that our future lives may be useful and happy.

The Speaker then announced that the House stood adjourned without day.

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91	A bill for the relief of Nathaniel Goddard <i>et al.</i>	-	375				
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141	A bill for the relief of the legal representatives of John Jordan, deceased, late a captain in the continental line of artillery artificers	-	375				
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No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
157	A bill for the relief of the legal representatives of the late Robert Farmer, deceased -	-	376	389	699	707, 709	719
158	A bill for the relief of William Moor, and for other purposes -	-	376	389	699	706, 708, 716	719
159	A bill for the relief of Farish Carter and the heirs of Charles Williamson, deceased -	-	376	389	710	712, 713	717
160	A bill for the relief of Etienne (Stephen) Lalande, deceased -	-	375	389	691	695, 707	711
161	A bill for the relief of Margaret Kingbury -	-	375	389	722	729, 730	731
162	A bill for the relief of Henry L. Reviere -	-	375	389	694	698, 717	719
163	A bill for the relief of the legal representatives of Daniel Warner, dec'd -	-	375	389	722	729, 730	731
164	A bill for the relief of Amelia Leach -	-	375	389			
165	A bill for the relief of Oliver Welch -	-	375	389			
166	A bill for the relief of the heirs of Francis Jarvis, deceased -	-	376	389	722	729, 731	731
167	An act to authorize the President of the United States to cause to be issued to Michael Armbrister, assignee of U-s-e-yoholo, a Creek Indian, a patent for a certain reservation of land in the State of Alabama -	-	375	389	691	701, 706, 716	719
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168	A bill for the relief of Milly Yates -	-	375	389	694	698, 717	719
169	A bill for the relief of Commodore Isaac Hull -	-	375				
171	A bill for the relief of the representatives of Henry Richardson -	-	375	389	694	698, 715	717
172	A bill for the relief of Spencer C. Gist -	-	375	389	694	698, 715	717
173	A bill for the relief of Benjamin Hewitt -	-	375	389	694	698, 715	717
174	A bill to provide compensation to James Barron for the use of his invention called "A ventilator of ships" -	-	375				
175	A bill to allow additional compensation to William Easty -	-	375	389			
186	A bill for the relief of Huldah Taylor -	-	375	389			
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229	A bill for the relief of James W. Osborn -	-	375	389			
233	A bill for the relief of Lewis B. Willis, formerly acting deputy surveyor for the district of Mississippi -	-	376	389	722	729, 731	731
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237	A bill for the relief of William W. Stevenson and Hugh Henderson -	-	376	389	668	671, 681	683
238	A bill for the relief of John Davlin -	-	376	389	667	669, 671, 682	683
239	A bill for the relief of Robert Murray -	-	376	389	668	671, 681	683
240	A bill for the relief of John Wiley and Jefferson Greer -	-	376	389	668	671, 681	683

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No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
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242	A bill for the relief of Jonathan Boon -	-	376	389			
244	A bill for the relief of William Marbury -	-	376	389			
245	A bill for the relief of Stephen Marsters -	-	376	389	699	700, 706, 716	719
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247	A bill for the relief of Thos. T. Triplett -	-	376	389	667	669, 671, 682	683
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249	A bill to authorize the settlement of the accounts of the heirs of Jesse Copeland -	-	376	390	665	666, 681	682
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256	A bill for the relief of Peter Yarnall and others -	-	376				
270	A bill for the relief of Henry Lynch -	-	376	390	690	695, 707	718
272	A bill for the relief of Saml. D. Walker -	-	376	390			
273	A bill for the relief of John H. Pease -	-	376	390	667	669, 672, 683	683
274	A bill for the relief of Gilbert A. Smith and others -	-	376	390			
275	A bill for the relief of Frederick Frey and Company -	-	376	390	667	669, 672, 683	683
279	A bill to allow such purchasers of the public lands in the years 1816 and 1819 as omitted to take the credit allowed by law, the same relief which was extended to those who availed themselves of the credit system -	-	376				
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281	A bill for the relief of James M. Tuttle, of Arkansas -	-	376	390	668	671, 681	682
289	A bill for the relief of Thomas E. Sudlers and others -	-	376				
293	A bill for the relief of John Dixon -	-	376	390	694, 722	729, 731	736
294	A bill for the relief of Polly Lemon -	-	376	390	722	729, 731	736
296	A bill for the relief of William Washington Bigham -	-	376	390	-	698, 717	717
296	A bill for the relief of Aaron Stout -	-	376	390	722	729, 731	736
297	A bill for the relief of James Cooper -	-	376	390	694	698, 715	718
298	A bill for the relief of John Borey -	-	376	390	722	729, 731	736
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304	A bill for the relief of Benjamin Hewitt	-	377	390	691	701, 702, 716	71
305	A bill for the relief of the representatives of Benjamin Hodges, deceased	-	377	390			
306	A bill for the relief of Cornelius Manning	-	377	390			
307	A bill for the relief of the legal representatives of William Tudor, jr.	-	377	390	691	695, 707	71
325	A bill for the relief of Thomas Todd	-	377	390	699	707, 708	71
326	A bill for the relief of William Clarke	-	377	390	722	729, 731	72
327	A bill for the relief of Zebulon Baxter	-	377	390	722	729, 731	72
328	A bill for the relief of Mary Shrouse [Note.—Title amended: "for the relief of the heirs of Sebastian Shrouse, late of Ohio, deceased."]	-	377	390	722	729, 731	72
391	A bill for the relief of Thomas H. Perkins, of Boston	-	377	390			
392	A bill for the relief of John Kern and John D. George	-	377	390			
393	A bill for the relief of John McCarroll, jr.	-	377	390	721	729, 731	72
395	A bill for the relief of the legal representatives of John Dawson, deceased	-	377	390	722	729, 731	72
396	A bill for the relief of Daniel Parker	-	377				
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312	A bill for the relief of Marcus Quincy and William Gorham	-	377	390			
343	A bill for the relief of William Culver	-	377	390			
344	A bill for the relief of George Innes	-	377	390	691	695, 707	71
345	A bill for the relief of the heirs and legal representatives of Peter Alba	-	377	390	690	695, 707	71
347	A bill for the relief of the legal representatives of Henry Duchiquette, William Hebit, dit La Compte, J. B. Dubels, and Charles Sangunette	-	377	390			
348	A bill for the relief of Hiner Stigermire	-	377	390	698	671, 691	69
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A bill for the relief of Benjamin Fry	- 378		393, 500			
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A bill for the relief of William Saunders	- 378		391			
A bill for the relief of Zebulon Sheets	- 378		391	694	698, 717	718
A bill for the relief of Wm. S. Colquhoun	- 378		391	732	739, 731	735
A bill for the relief of James Bailey	- 156, 398					
A bill for the relief of Thomas McClelland and James Smith	- 378		391	668	671, 681	683
A bill for the relief of the heirs of Marshal Rochambeau	- 378					
A bill for the relief of the Springfield Manufacturing Company	- 378		391	688	699, 698, 700	
A bill for the relief of Winslow Lewis	- 378, 417		417	694	698, 717	717
A bill for the relief of the representatives of Nathan Slogs	- 378		391	666	671	683
A bill for the relief of Samuel Malone	- 378		391	668	671, 681	683
A bill for the relief of Return B. Brown	- 378, 393		501	710	713, 715	727
A bill to refund a fine imposed on the late Matthew Lyon, under the sedition law, to his heirs and representatives	- 378					
A bill for the relief of John E. Wool, Inspector General of the army	- 378, 393, 501, 504					
A bill for the erection of hospitals on the Western waters	- 244					
A bill for the relief of Pamela Brown	- 156		197			
A bill for the relief of Daniel Ward and George Ficklin	- 378		391	699	695, 698, 707	712
A bill for the relief of the legal representatives of Everard Meade	- 378					

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
418	A bill for the relief of certain settlers on what is called the Salt-lick reservation in the western district of Tennessee -	-	378, 393, 488	502	722	729, 731	75
419	A bill for the relief of Nathaniel Plumb -	-	378	391	710	712, 716	75
420	A bill for the relief of Ashbel Mason -	-	378	391	699	707, 709	75
421	A bill for the relief of Vincent Massolletti -	-	378	391			
422	A bill for the relief of Jairus Loomis and James Bassett -	-	378, 393	504	721	729, 731	75
426	A bill allowing to James Lowe a section of land -	-	378	391			
429	A bill granting a pension to Michael McCray -	-	378	391	721	729, 731	75
436	A bill for the relief of Joseph Wallis, and the heirs and legal representatives of Robert Leckie and Jeremiah D. Hayden, deceased -	-	378				
437	A bill to provide for the settlement of the claim of Walter Jones against the United States -	-	378, 431	439	699	707, 709	75
440	A bill for the relief of the representatives of Thomas Glascock -	-	364, 367	367	635	646, 647	65
441	A bill for the relief of the corporation of first Presbyterian church of Scotland, in Hanover, (now Yorktown,) Westchester county, State of New York -	-	378, 431, 438				
442	A bill for the relief of certain persons who have been deprived of the right of pre-emption under the act of the nineteenth of June, one thousand eight hundred and thirty-four, by the location of Indian reservations, or floating rights of entry granted by Congress -	-	375				
445	A bill for the relief of Zachariah Jellison -	-	378	391			
446	A bill for the relief of Sylvester Phalpa, and the heirs and legal representatives of Charles Landon, deceased -	-	378	391			
447	A bill for the relief of John Balch, jr. -	-	378	391	699	700, 704, 716	75
456	A bill to enlarge the provisions of an act granting half pay to widows and orphans whose husbands and fathers have died in the military service -	-	375				
466	A bill providing for the Niagara ship canal -	-	617				
468	A bill for the relief of Samuel McComb -	-	378	391	690	707	75
469	A bill to provide for paying three companies of militia -	-	431	439	700	700, 704, 716	75
470	A bill for the relief of the Louisville Savings Institution -	-	378	391	668	671, 691	65
471	A bill for the relief of the legal representatives of Adam Smith -	-	378	391	710	712, 715	75
472	A bill to define the number, compensation, and duties of officers of the customs -	-	1140, 529				

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
476	A bill for the relief of the heirs and legal representatives of Israel Honeywell -	-	378				
477	A bill for the relief of the heirs and legal representatives of John Mandeville -	-	378				
478	A bill for the relief of Joseph Safford and other heirs at law of Joseph Safford, late of the New Hampshire line, in the revolutionary war -	-	375	369	722	739, 731	735
479	A bill for the relief of George Rowe -	-	378	391	699	707, 709	719
480	A bill to authorize a settlement of claims of George Fisher, for property destroyed by troops of the United States -	-	378, 393, 504, 506				
481	A bill for the relief of Roger Jones, Adjutant General of the army - [Title amended: "An act to amend an act regulating the pay and emoluments of brevet officers."]	-	379, 431	443	699	707, 709	719
483	A bill for the relief of Ezekiel Jones -	-	379	391	695	707	718
486	A bill for the relief of Charles G. Ridgely -	-	379				
488	A bill establishing certain collection districts, and creating ports of entry -	-	528, 529				
490	A bill for the relief of Samuel Dickerson -	-	379	391	668	671, 681	683
491	A bill to reorganize the district courts of the United States in the State of Alabama -	-	189, 297, 352	352	418	491, 492	520
492	A bill for the relief of the legal representatives of Philip Barbour -	-	379				
493	A bill for the relief of George C. Johnson -	-	379, 381, 386	391			
494	A bill for the relief of John Baldridge -	-	379	391			
502	A bill granting a pension to Gideon Sheldon -	-	-	-	722		
506	A bill for the relief of Cornelius Tiers -	-	379	391	710		
508	A bill authorizing a grant of bounty land to the heirs of Bennet Shurley, deceased -	-	379	391	668	671, 681	689
512	A bill for the relief of Alexander Scott -	-	379				
516	A bill for the relief of John H. Shepard, administrator of Abiel Wood -	-	379	391			
518	A bill for the relief of Lewis H. Bates and Thomas Lison -	-	379, 393, 506				
519	A bill for the relief of William Colt and William Donaldson -	-	379	391	668	671, 680	683
520	A bill for the relief of the legal representatives of Michael Fenwick, deceased -	-	379	391	694	698, 717	717
523	A bill to revive an act to enable claimants to land within the limits of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims, approved May						

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
	26, 1824; and the act amending the same, approved May 24, 1828	-	379				
525	A bill for the payment of certain pensions heretofore paid out of the privateer pension fund	-	244, 260				
526	A bill for the relief of John Randolph Clay	-	379	391	666	671, 680	683
534	A bill to purchase the use of Dr. Boyd Reilly's vapor-bath	-	379, 431				
525	A bill for the relief of Abel A. Pasco and others	-	379	391	691	695, 707	718
541	A bill for the relief of Francis Mallaby	-	379	391	722	729, 731	736
542	A bill for the relief of Sutton Stephens	-	379				
543	A bill for the relief of Don Louis Rosamon Orillion	-	380				
546	A bill granting an additional quantity of land for the location of revolutionary bounty-land warrants	-	279, 281, 461				
547	A bill for the relief of Solomon Sturges, assignee of R. Frazier	-	380	392	699	695, 707	718
550	A bill for the relief of Avery, Saltmarsh, & Co.	-	380				
552	A bill for the relief of the legal representatives of Capt. Thomas Triplett	-	264, 305				
555	A bill for the relief of Alexander H. Everett	-	380				
556	A bill for the relief of Alexander Hammett	-	380				
556	A bill for the relief of Captain John Vannettin and his company, for their services during the late war	-	380	392	698	707, 709	718
557	A bill for the relief of James Alexander	-	380	392			
571	A bill for reducing under one head of appropriations, various appropriations for building, rebuilding, purchasing and repairing vessels of war, and for providing materials for the same	-	244, 260				
573	A bill to alter and regulate the navy ration	-	244, 260				
573	A bill to regulate the pay and emoluments of pursers in the navy	-	244, 260				
581	A bill for the relief of John Brown and company	-	380, 431	439	691	695, 707	718
582	A bill for the relief of John R. Folsom, and the owners and crew of the schooner Galaxy, of Bucksport, in the State of Maine	-	380	392	-	729, 731	736
583	A bill for the relief of James Selby	-	380	392	691	695, 707	718
588	A bill for the relief of Francis Lambert	-	380	392			
599	A bill for the relief of John E. Alexander	-	380	392	688	671, 680	683
602	A bill for the relief of Nathaniel H. Hooe	-	380	392	668	671, 680	683

HOUSE BILLS—Continued.

Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
A bill for the relief of John B. Rogers	-	380				
A bill for the relief of Enoch Matson	-	380	392	690	695, 707	718
A bill for the relief of James S. Cochran	-	380	392			
A bill for the relief of the legal representatives of Aaron Vail, deceased, late consul at l'Orient	-	380	392			
A bill for relief of John Adams Smith	-	380	392			
A bill for the relief of the legal representatives of Charles S. Walsh	-	380	392	668	671, 680	683
A bill for the relief of the sureties of H. H. B. Hays, late a postmaster at Claiborne, Alabama	-	380	392			
A bill for the relief of J. Elot Rachal	-	380	392	722	728, 731	736
A bill for the relief of Paul Poissot	-	380	392	-	695, 707	718
A bill for the relief of Henry Stoker and William G. Belknap and Benjamin Walker	-	376	390	722	728, 731	736
A bill to authorize the purchase of the stock in the Louisville and Portland canal, &c.	-	273				
A bill for the relief of the legal representatives of Josias Thompson	-	380	392			
A bill for the relief of William Marcus, of Arkansas	-	380	392	691	700, 708, 716	720
A bill for the relief of Joseph Pierce <i>et al.</i>	-	380	392	699	707, 709	719
A bill for the relief of John Blanc	-	380	392	691	695, 707	718
A bill to renew the patent-right of William Perkinson	-	380	438			
A bill for the relief of Stephen P. W. Douglass	-	380	392	723	728, 731	735
A bill for the suppression of gaming in the District of Columbia	-	532				
A bill for the relief of the heirs of Larkin Smith	-	265, 267				
A bill for the relief of the heirs of John Campbell	-	380				
A bill for the augmentation of the United States marine corps	-	244, 260				
A bill for the relief of John Dougherty, of Wisconsin	-	380	392	691	700, 708, 716	720
A bill for the relief of Tilford Taylor	-	376	389	668	671, 680	683
A bill for the relief of the heirs of John Hopper	-	380				
A bill for the relief of the legal representatives of Thomas Murray	-	380	392			
A bill for the relief of certain umbrella makers of the city of Philadelphia	-	380	392	700	700, 708, 716	720
A bill to authorize the purchase of two vessels, to be employed as receiving vessels, in the naval service	-	244, 260				
A bill for the relief of John Lybrook	-	-	-	690		
A bill for the relief of the heirs of Wm. Graham, deceased	-	380	392	700	700, 708, 716	720

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
688	A bill for the benefit of Joseph Duke	-	380	392			
694	A bill for the relief of Wm. Madison	-	266				
695	A bill making appropriations for building custom-houses at New Orleans, Philadelphia, and Savannah	-	529				
696	A bill to establish a board of commissioners to examine and decide certain claims against the United States	-	285				
697	A bill to revive "An act supplementary to an act entitled 'An act to authorize the inhabitants of the State of Louisiana to enter back lands'"	-	553				
698	A bill to confirm the claim of Charles Morgan, in right of Simon Porche, to a tract of land	-	380	392	694	698, 717	17
699	A bill for the relief of Sarah H. B. Stith	-	380	392			
701	A bill for the relief of David Ballentine	-	380	392	722	728, 731	73
703	A bill extending and improving the navy yard at Brooklyn, and for constructing a dry-dock at the same	-	244, 254, 260				
708	A bill for the relief of James H. Grant, Moses W. Simpson, and Preston Going	-	380, 393	506	722	728, 731	75
709	A bill granting a pension to Thomas Maxwell	-	-	-	690		
711	A bill for the relief of Robert Milnor	-	380	392			
712	A bill making appropriations for building light-houses, light-boats, beacon-lights, buoys, and making surveys for the year 1838	-	712				
714	A bill for the relief of Thos. Cushing	-	380	392	700	700, 708, 716	79
716	A bill for the relief of Abraham Stipp	-	380	392	699	707, 709	78
718	A bill for the relief of Philip Lightfoot	-	507				
719	A bill for the relief of John L. Allen	-	380	392	695	707	76
732	A bill for relief of Nathaniel Mitchell	-	380	392	668	671, 680	60
735	A bill for the relief of Herman Harris	-	381	392	700	700, 708, 716	79
736	A bill for the relief of Hazard Knowles	-	381	433			
738	A bill for the relief of Daniel Snider	-	381	392			
745	A bill for relief of Mrs. Frances Fowler	-	381	392			
751	A bill for relief of Jesse Erakine Dow	-	381	392	668	671, 680	60
756	A bill for relief of Isaac D. Saunders	-	381	392	722	728, 731	75
758	A bill for the relief of Wm. Grozer	-	381	392	691	698, 707	74
764	A bill for the relief of Garret Vleit	-	431	439			
765	A bill for the relief of E. H. Williams, administrator of Doctor Hazel W. Crouch	-	431	440	710	711, 715	77
766	A bill making appropriations for the improvement of certain harbors therein mentioned, and for the surveys of certain harbors therein mentioned, for the year one thousand eight hundred and thirty-eight	-	354, 529				
769	A bill for the relief of Richard Hendley	-	481	440	691	695, 707	78
772	A bill for the relief of the legal representatives of George Yates	-	431				

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HOUSE BILLS—Continued.

Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
A bill for the relief of the legal representatives of Joseph Savage, dec'd -	-	431				
A bill for the relief of the legal representatives of Abner Prior -	-	431				
A bill for the relief of the legal representatives of James Maxwell, of Pennsylvania -	-	431	443	699	706, 709	718
A bill for building a dry-dock at Philadelphia -	-	244				
A bill for the relief of Samuel Massey and Thomas James, of the county of Crawford, in the State of Missouri -	-	431	440	699	706, 709	718
A bill for the relief of A. J. Picket and George W. Gayle -	-	431	440	722	728, 731	736
A bill for the relief of James Cox -	-	431	440			
A bill further to provide for the relief of distressed American seamen in foreign countries -	-	529				
A bill for the relief of Irad Kelly and Datus Kelly -	-	431	440	721	728, 731	736
A bill for the relief of Capt. Thos. Ap Catesby Jones -	-	431, 438				
A bill for the relief of John Jones and Charles Souder, and Robinson, Carr, & Co. -	-	431	440	721	728, 731	736
A bill for the relief of the legal representatives of Dunscomb Bradford -	-	431	440	694	698, 717	718
A bill for the relief of the legal representatives of James H. Cheears -	-	431	440	710	711, 715	727
A bill for the relief of the legal representatives of Thomas P. Harrison -	-	155, 387				
A bill for the relief of Robert M. Roberts, or his legal assigns -	-	431	440	722	728, 731	736
A bill to extend the limits of the port of New Orleans -	-	529				
A bill to authorize the trustees of the township of Oxford, in the county of Butler, in the State of Ohio, to enter a section of land in lieu of section sixteen in said township, for the use of schools -	-	433	440	699	706, 709	718
A bill for the relief of the representatives of Thomas Rutledge -	-	432				
A bill for the relief of Isaac Lilley, of the State of Maine -	-	432	440	699	706, 709	718
A bill for the relief of George Hommell -	-	432	440			
A bill for the relief of William Traverse -	-	432	440	710	711, 715	727
A bill for the relief of Andrew Rembert -	-	432	440	710	711, 715	727
A bill for the relief of the legal representatives of Nathan Smith, dec'd -	-	432				
A bill for the relief of Maria Hornbeck -	-	432	440			
A bill for the relief of Thompson Hutchinson -	-	432	440			
A bill for the relief of Isaac Conly -	-	432	440	691	695, 707	718

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
847	A bill for the relief of the owners, officers, and crew of the armed brig Warrior, or their legal representatives	-	432	440			
848	A bill for the relief of Samuel T. Anderson	-	432				
849	A bill for the relief of Richard Booker and others	-	432	440			
850	A bill for relief of Josiah F. Caldwell	-	432	440			
851	A bill for the relief of Jamison and Williamson	-	432	440, 444, 507	699	706, 709	
852	A bill for the relief of Cornelius Taylor	-	432	440, 444, 507	694	698, 717	
853	A bill for the relief of James L. Stokes, and for other purposes	-	432	440	699	706, 709	
856	A bill for the relief of the widow or legal representatives of John Tilden	-	432	440	699	706, 709	
857	A bill for the relief of Jesse Seymour or his legal representatives, and in alteration of an act entitled "An act respecting the late officers and crew of the sloop of war Wasp," approved April 20, 1816	-	432	440	699	706, 709	
858	A bill for the relief of Charles Rockwell	-	432	440	699	706, 709	
859	A bill for the relief of the widow of Thomas Kibby	-	432	440	699	706, 709	
860	A bill for the relief of John G. Mozart	-	432	440			
866	A bill for the relief of the representatives of Ann Levacher de Van Brun	-	432	440	722	723, 731	
870	A bill for the relief of Sarah Windham, widow of the late Joshua Lamb, a soldier of the Revolution	-	432	440	699	706, 709	
871	A bill for the relief of George Cassady	-	432	440			
872	A bill for the benefit of the heirs of Col. Daniel Boone, deceased	-	432	440			
873	A bill to prevent the deportation of paupers from foreign countries, &c.	-	873				
877	A bill for the relief of Joseph M. Hernandez	-	432	440	636, 663, 672, 682		
878	A bill for relief of Woodburne Potter	-	432	440	710	711, 715	
879	A bill for relief of John L. McCarty	-	432	441	710	711, 715	
880	A bill for the relief of James Tongue and the administrator of William Hodson and Scrivener	-	432	441			
881	A bill for the relief of the assignees of Jacob Clements, deceased	-	432	441	710	711, 715	
882	A bill for the relief of Jacob Galencia	-	432	441			
883	A bill for the relief of Smith and Town	-	-	264	648	671, 680	
884	A bill for the relief of the heirs of Peyton Randolph, deceased	-	432	441			
886	A bill for the benefit of the Choctaw Indians	-	432	441			
888	A bill for the relief of John J. Roane	-	381, 433				

HOUSE BILLS—Continued.

Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
A bill for the relief of Susan Gratiot, administratrix of Charles H. Gratiot, administrator of Henry Gratiot -	-	432	441	699	706, 709	719
A bill to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof -	47	105				
A bill making appropriations in part for the support of Government for the year 1838-'39 -	77	80	93	142	143	147
A bill making an appropriation for the protection of the northern and north-western frontier of the United States	105	420, 427	663, 664	691	700, 708, 716	717
A bill making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year 1839 -	105	420	426	492	494, 523	556
A bill for the relief of Chastelain and Ponvert -	105	375	389			
A bill making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year 1839 -	139	420	427	662	711, 714, 723, 723, 734	736
A bill making appropriations for the naval service for the year 1839 -	139	420	427	656	660, 692, 698, 717	717
A bill making appropriations for the support of the army for the year 1839 -	140	420, 428, 429, 483, 493, 496	499	668	669, 700, 711, 712, 723, 723, 729, 730	736
A bill more effectually to prevent frauds in the collection, keeping, transfer, and disbursement of the public revenue, and to punish public defaulters -	140					
A bill for the relief of Griffith Coombe and John P. Ingle, trustees of the house in the city of Washington commonly called the Brick Capitol	140	432, 443	506	732	728, 731	735
A bill for the relief of Thomas Filibrown, jr. -	140	432				
A bill for the relief of the legal representatives of John Barnes, deceased	140	432				
A bill for the relief of the legal representatives of Nathan Lamme, dec'd	140	433				
A bill for the relief of the legal representatives of Captain Tarpley White	140	433				
A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of Edward Wade, deceased -	140	433				

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
905	A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of William Gregory, deceased -	141	433				
906	A bill to authorize the payment of the seven years' half pay due on account of the services of James Conway, deceased -	141	433				
907	A bill for the relief of the legal representatives of James Burton, dec'd -	141	433				
908	A bill for the relief of the legal representatives of Capt. Thomas Cooke, deceased -	141	433				
909	A bill for the relief of Roger Staynor, late a captain in the army of the Revolution -	141	433				
910	A bill for the relief of Levi Chadwick -	141		264	668	671, 690	AC
911	A bill for the relief of the legal representatives of Col. Francis Vigo -	141	433				
912	A bill for the relief of the legal representatives of Col. William Fontaine -	141	433				
913	A bill for the relief of the legal representatives of Captain Samuel Jones, deceased -	141	434				
914	A bill for the relief of the legal representatives of Lathrop Allen -	141	434				
915	A bill for the relief of the legal representatives of Major William Langbourne, deceased -	141	434				
916	A bill to authorize the issuing of land warrants in certain cases -	141					
917	A bill for the relief of Thos. Wishart -	141	375				
918	A bill for the relief of the legal representatives of Samuel O. Pettus -	141	434				
919	A bill for the relief of the representatives of Major Tarlton Woodson -	141	434				
920	A bill for the relief of the legal representatives of Major Tarlton Woodson, deceased -	141	434				
921	A bill for the relief of the legal representatives of Captain James Purvis, deceased -	141	434	441	710	711, 715	
922	A bill for the relief of the legal representatives of Captain Charles Taylor, deceased -	141	434				
923	A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of Francis Eppes, deceased -	141	434				
924	A bill giving the assent of Congress to an act of the General Assembly of Virginia, entitled "An act to amend an act incorporating the Falmouth and Alexandria Railroad Company, which passed February 2, 1836 -	142	264, 354	420			

HOUSE BILLS—Continued.

Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
A bill for the relief of Solomon Prewett - - - - -	142 434		441	699	706, 708	718
A bill for the relief of John England - - - - -	142 434		441			
A bill for the relief of Jacob Baugh - - - - -	142 434		441			
A bill for the relief of Elizabeth Jones - - - - -	142 434		441			
A bill for the relief of Oliver Peck - - - - -	142 434		441			
A bill granting a pension to Susanah Roe, widow of John Roe, deceased - - - - -	142 434		441	699	706, 708	718
A bill restoring the name of John Davis to the pension roll - - - - -	142 434		441			
A bill granting a pension to Elizabeth Durant - - - - -	142 434		441			
A bill for the relief of the widow of Captain James Hunter - - - - -	142 434		442			
A bill for the benefit of Fielding Pratt - - - - -	142 434		442			
A bill for the relief of the heirs of Presley Thornton - - - - -	142 375					
A bill for the relief of Nimrod Farrow and Richard Harris - - - - -	182 434		441			
A bill for the relief of the representatives of John Wilkinson - - - - -	182 434					
A bill for the relief of the heirs and legal representatives of John Grimbball, senior - - - - -	183 434		441, 443			
A bill to amend an act to re-organize the district courts of the United States in the district of Mississippi - - - - -	183	-	197	477	509, 544, 555	557
A bill to authorize the payment of the seven years' half pay due on account of the services of Thomas Knowlton in the war of the Revolution - - - - -	183 434					
A bill for the relief of the heirs of Jonathan Dye - - - - -	183 434					
A bill to authorize the payment of the seven years' half pay due on account of the revolutionary services of David Gould, deceased - - - - -	183 434					
A bill for the relief of Samuel Edgecomb - - - - -	185 434		441			
A bill for the relief of John Smith - - - - -	185 434		441			
A bill for the relief of Ichabod Beardsley - - - - -	185 434		441			
A bill for the relief of Sibel Barnes - - - - -	185 434		441	699	706, 708	719
A bill for the relief of Elizabeth French - - - - -	185 434		441			
A bill for the relief of William Ford - - - - -	185 434		441	721	728, 731	736
A bill for the relief of Samuel Hatton, of the State of Virginia - - - - -	185 434		441			
A bill restoring the name of John Lathram to the pension roll - - - - -	185 434		441			
A bill granting a pension to Catharine Allen, widow of Henry Allen - - - - -	185 434		441			
A bill for the relief of Elijah Blodgett - - - - -	185 434		441			
A bill for the relief of Thomas Collins - - - - -	186 434		441			

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
954	A bill for the relief of Samuel M. Asbury	186 434		441			
955	A bill for the relief of James Fleming	186 435		441			
956	A bill for the relief of Robert Whittet	186 435		441			
957	A bill for the relief of Myron Chapin	186 435		441			
958	A bill for the relief of Jared Winslow	186 435		441			
959	A bill for the relief of Nath'l Davis	186 435		441			
960	A bill for the relief of Isaac Justis	186 435		441			
961	A bill for the relief of Bradbury True Jipson	186		186	307	355, 382	417
962	A bill for the relief of Isaiah Parker	186 435		441			
963	A bill for the relief of Levi M. Roberts	186 435		441			
964	A bill for the relief of Isaac Boyd	186 435		441			
965	A bill for the relief of Gideon Sheldon	186 435		441			
966	A bill for the relief of William Smith	186 435		441			
967	A bill for the relief of William Fitzgerald	186 435		441			
968	A bill for the relief of Eunice Sanders, late Eunice Pierson	186 435		442			
969	A bill for the relief of the heirs of Charles Fitzgerald	186 435		442			
970	A bill granting a pension to Martha Strong	186 435		442			
971	A bill for the relief of Patrick Green	190 435		442	700	700, 708, 716	
972	A bill granting a pension to John F. Wiley	190 435		442			
973	A bill for the relief of Frederick Richmond	194 435		442	710	711, 715	717
974	A bill for the relief of William A. Whitehead. [Error—bill passed last session]	194					
975	A bill to provide for carrying into effect the convention between the United States of America and the republic of Texas, for marking a boundary between them	195 245		245	247	252, 257	258
976	A bill to provide for the protection of the citizens of the United States residing in the Oregon territory, or trading on the Columbia river or its tributaries	195					
977	A bill granting a pension to Leonard Smith	195 435		442			
978	A bill for the relief of Sam'l B. Hugo	195 435		442			
979	A bill for the relief of the heirs and legal representatives of Rignald, alias Nick Hillary, deceased	195 435					
980	A bill for the relief of the legal representatives of James Broadus, dec'd	195 435					
981	A bill making appropriations for the civil and diplomatic expenses of Government for the year 1839	242	485, 544, 546, 556, 616, 617, 639, 646, 648, 651, 658	650	682	692, 696, 703, 710, 715, 732, 730, 732.	734

HOUSE BILLS—Continued.

Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
A bill to revive and extend an act to authorize the issuing of Treasury notes, to meet the current expenses of Government for the year 1838 -	242	546, 556	610	666	666, 681	683
A bill to provide for the support of the Military Academy of the United States, for the year 1839 -	242					
A bill making appropriations for the continuation of the Cumberland road in Ohio, Indiana, and Illinois -	242					
A bill for relief of Lieut. John McDowell -	243	435				
A bill for the relief of the children of Apollos Cooper -	244	435				
A bill making an appropriation for the payment of a company of volunteers mustered into the service of the United States by Capt. Drane, and which acted as a guard to a party of emigrating Indians -	244					
A bill for the relief of John Lybrooke -	246	435	442			
A bill for the relief of Matthew Wiley -	246	435	442			
A bill for the relief of Frances Jones, widow of John Jones -	246	435	442	721	728, 731	736
A bill for relief of Susannah Hoagland -	246	435	442			
A bill for the relief of Wm. A. Cuddeback -	246	435	442			
A bill granting a pension to Helen Miller -	246	435	442			
A bill granting a pension to Wm. Andrews -	246	435	442			
A bill granting a pension to Thurston Cornell -	246	435	442			
A bill granting a pension to Stephen Olney -	246	436	442			
A bill granting a pension to Harvey Reynolds -	247	436	442	699	706, 708	719
A bill granting a pension to Dr. Sylvester Nash -	247	436	442			
A bill granting a pension to Stephen Appleby -	247	436	442			
A bill for the relief of David Rollins -	247	436	442	721	728, 731	736
A bill for the relief of Wm. Sloan -	247	436	442			
A bill for the relief of John Clarke -	247	436	442	721	728, 732	736
A bill for relief of Gilbert Sprague Fish -	247	436	442	721		
A bill for the relief of Weight Hurlbut -	247	436	442	721	728, 732	736
A bill for relief of Eliphalet Spafford -	247	436	442	699	706, 708	719
A bill granting an increase of pension to Ann Ross, widow of Lieutenant Andrew Ross -	248	436	442			
A bill granting arrears of pension to Josiah Westlake -	248	436	442			
A bill for the relief of Henry Grady, of Macon county, North Carolina -	248	436	442	721	728, 732	736
A bill for the relief of the legal representatives of John Addoms -	248	436	442			

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
1010	A bill to authorize the cancellation of certain debenture bonds, on the exportation of coal (duty on coal) -	248	529				
1011	A bill for the relief of Nicholas Phelan, heir at law of John Phelan, dec'd -	248	437	442	710	711, 715	71
1012	A bill for the relief of Peters, Moore, & Co. <i>et al.</i> -	251	306, 367, 386				
1013	A bill for relief of Rosaline Prudhomme -	251	437	442	699	706, 708	71
1014	A bill for the relief of Dennis Tramell -	251	437	442	665	666, 631	63
1015	A bill granting a pension to David Melton -	251	437	442			
1016	A bill for the relief of Levi M. Roberts -	251					
1017	A bill for the relief of Benjamin F. Wesley -	252	437	442			
1019	A bill for relief of Chauncey Calhoon -	255	437	442	-	728, 732	73
1019	A bill for the relief of Teakle Savage, administrator of Bolitha Laws -	255	437				
1020	A bill for the relief of John McColgan -	255	437				
1021	A bill for the relief of Wm. B. Livesay -	256	437	442			
1022	A bill for the relief of Philip Catner -	256	437	442	699	700, 708, 716	73
1023	A bill for the relief of Isaac Miller -	256	437	442	699	706, 708	71
1024	A bill for relief of Peter Samuel Jaccard -	256	437	442	699	706, 708	71
1025	A bill for the relief of Richard Shubrick -	256	437				
1026	A bill for the relief of John De Treville -	256	437				
1027	A bill for the relief of Thomas M. Burland -	256	437	442	722	728, 732	73
1028	A bill to define and establish the eastern boundary of the Territory of Iowa -	256	522, 524	526	699	706, 708	71
1029	A bill making appropriation for purchasing a library for the use of the Legislative Council and court of appeals of the Territory of Florida -	256	522, 524, 526, 617				
1030	A bill to authorize the issuing of a register to Anthony C. Meneghetty, for the sloop Sarah -	261	-	261	668	671, 680	63
1031	A bill providing for the erection of a fire-proof building for the use of the General Post Office Department -	261	661, 662	703	710	711, 715	74
1032	A bill for establishing a national foundry for the fabrication of cannon for the use of the army and navy of the United States -	263					
1033	A bill to alter the mode of appointing certain officers of the United States, and for other purposes -	280					
1034	A bill to repeal the second section of an act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office, approved July 7, 1838 -	283	303	420	721	728, 732	74
1035	A bill for the relief of the heirs of James Maglenan, late of the city of Baltimore, deceased -	296	437	442			

HOUSE BILLS—Continued.

Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
A bill to confirm certain purchases of the public lands in the State of Mississippi, under the act of nineteenth of June, 1834 - - -	296					
A bill to amend the act entitled "An act for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the acts now in force for these purposes," approved February 28, 1795 -	301					
A bill for the settlement of the accounts of the State of New Hampshire -	301					
A bill for the benefit of certain widows of revolutionary soldiers -	302					
A bill granting a pension to William Harper - - -	302	437	442			
A bill granting a pension to Mary Updegraff, of Butler county, Pennsylvania - - -	302	437	442	721	729, 732, 734	735
A bill granting a pension to Benjamin Price, of New Jersey - - -	302	437	443			
A bill granting a pension to Conrad Widrig - - -	302	437	443			
A bill for the relief of Barton Hooper -	302	437	443			
A bill for the relief of Charles Risley -	302	437	443			
A bill for the relief of John Keeler -	303	437	443			
A bill for the relief of John Howe -	305	437	443			
A bill to authorize the importation, free of duty, of the iron materials for certain iron vessels - - -	305	437, 550				
A bill for the relief of the widow of John Marche, deceased - - -	306	437	443	722	728, 732	737
A bill for the relief of Dr. J. M. Foltz -	306	437	443	699	704, 708	719
A bill for the relief of the legal representatives of Captain Joshua Huddy -	332	437	443			
A bill for relief of Ebenezer A. Lester -	351	437	443			
A bill for the relief of Joseph Jackson -	351	437	443	694	698, 717	717
A bill to grant to the counties of Lee, Des Moines, Jackson, and Dubuque, in the Territory of Iowa, lands to aid in the erection of county buildings - - -	351	522, 524	526			
A bill to incorporate the Washington City Benevolent Society - - -	352	532	535			
A bill to incorporate the Navy Yard Beneficial Society, of the city of Washington - - -	352	532	536			
A bill to incorporate the Lafayette Beneficial Society, of the city of Washington - - -	352	532	536			
A bill to authorize the election or appointment of certain officers of the Territory of Iowa, and for other purposes - - -	353	522, 524, 525	526	699	706, 708	719

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
1059	A bill to amend the act establishing the Territorial Government of Wisconsin - - -	-353	522, 524				
1060	A bill granting a pension to Elijah Foochee - - -	-353	437	443			
1061	A bill to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes - -	-354	523, 524	526	710	711, 716	71
1062	A bill making appropriations for certain repairs and improvements upon the public buildings and grounds, and for other purposes -	-355					
1063	A bill to amend an act entitled "An act establishing circuit courts and abridging the jurisdiction of the district courts, in the districts of Kentucky, Tennessee, and Ohio," approved February 24, 1807 -	-359	643				
1064	A bill for the relief of certain officers of the Florida militia -	-359	437	443	698	706, 708	71
1065	A bill for the relief of Samuel Hoffman	-359	437	443	710		
1066	A bill for the relief of Robert Milnor and John Thompson - -	-359	437	443			
1067	A bill to approve and confirm an act of the Legislative Assembly of the Territory of Wisconsin creating certain banks, and for other purposes -	-360	525	527			
1068	A bill to authorize the people of Iowa to form a constitution and State government, and for the admission of such State into the Union -	-360					
1069	A bill for the relief of the executors of Robert McFarland -	-360	437	443			
1070	A bill granting a pension to Reuben Murray, of the State of Virginia	-360	437	443	691		
1071	A bill supplementary to the act entitled "An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam" -	-360					
1072	A bill for the relief of the Tuscarora nation of Indians - -	-361					
1073	A bill for the relief of Colonel Robert D. Wainwright - -	-372	437				
1074	A bill for the relief of Charles Benna	-373	437	443			
1075	A bill for the relief of Menzie Gillespie	-373	437	443	699	706, 708	71
1076	A bill granting land to the Portage Canal Company for the construction of a canal at the Wisconsin and Fox-river portage - -	-373					
1077	A bill to restore circuit-court jurisdiction to the district court of the northern district of New York, and fur-						

HOUSE BILLS—Continued.

Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
ther to regulate the terms of the circuit and district courts therein -	373					
A bill for the relief of the legal representatives of William Vause, dece'd	373	437				
A bill making appropriations for the defence of the northern and western frontier -	374					
A bill to amend an act entitled "An act to provide for the better protection of the western frontier," approved July 2, 1836; and to repeal so much of the act making appropriations for the support of the army for the year 1836 as requires the removal of the troops from Fort Gibson -	374					
A bill to provide for the erection of public buildings in the Territory of Florida	382	522, 524	526	722, 728, 732	737	
A bill granting a pension to Chauncey Rice -	383	438	443			
A bill for the relief of James B. Rice -	383	438	443			
A bill to provide for the erection of fire-proof buildings for the use of the Department of War -	383					
A bill making an appropriation for the improvement of the navigation of the Allegany river between Pittsburg and Olean -	384					
A bill extending the provisions of the act, approved October 14, 1837, entitled "An act to amend an act entitled 'An act to provide for the payment of horses lost or destroyed in the military service of the United States,' approved June 18, 1837" -	384					
A bill to allow a drawback of duties on imported hemp when manufactured into cordage and exported -	396					
A bill to provide a free bridge across the eastern branch of the river Potomac, in the city of Washington -	401	532				
A bill to incorporate Washington's Manual Labor School and Male Orphan Asylum, in the city of Washington and District of Columbia -	401	532	535			
A bill making appropriations for preventing and suppressing Indian hostilities for the year 1839 -	418	661, 662	664	704	709, 711, 715	727
A bill to repeal the proviso to the 2d section of an act, approved 3d March, 1837, which authorized the Secretary of the Treasury to compromise the claim of the United States against certain banks -	418	-	506	540	544, 555	557

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
1092	A bill to provide the location and temporary support of the Seminole Indians removed from Florida -	418	420	436	492	494, 533	557
1093	A bill for the relief of Crocker Sampson -	436	438	443	710	711, 715	727
1094	A bill granting a pension to George Barkley and John Weaver -	449					
1095	A bill making an appropriation for the erection of a marine hospital at the city of St. Joseph, in the Territory of Florida -	485	525	526			
1096	A bill making an appropriation for building light-houses, light-boats, beacon-lights, and buoys, for the year 1839 -	486	529				
1097	A bill making an appropriation for building a pier at the northern extremity of Winnebago lake, and for other purposes -	486	522, 524	526	-	728, 732	737
1098	A bill to amend an act entitled "An act to authorize the register or enrolment and license to be issued in the name of the president and secretary of any incorporated company owning a steamboat or vessel," passed 3d March, 1825 -	486					
1099	A bill for the relief of Nathan Levy -	486					
1100	An act in addition to "An act supplementary to and to amend an act entitled 'An act to regulate the collection of duties on imports and tonnage, passed 2d of March, 1799,' and for other purposes," approved 1st March, 1823 -	486					
1101	A bill for the relief of Ellicot Smith and Nathan Farnsworth -	486					
1102	A bill for the relief of George Willis -	486					
1103	A bill making a donation of land to the Territory of Iowa for the purpose of erecting public buildings thereon -	487	525	617	-	728, 733	735
1104	A bill to compensate the township of Dublin, in Mercer county, State of Ohio, for the loss of school lands -	487					
1105	A bill to authorize the issuing of duplicate land warrants in cases where the warrants originally issued are lost or destroyed -	487					
1106	A bill for the relief of Henry Hoffman -	488					
1107	A bill for the relief of the heirs and legal representatives of Don Carlos Villemont -	488					
1108	A bill for the erection of an armory on the Western waters -	488					
1109	A bill making an appropriation for paying the claims of the militia of Vermont, called out by the Governor of						

HOUSE BILLS—Continued.

Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
that State to prevent unlawful incursions into Canada -	489					
A bill making appropriations for the purchase of land adjoining the arsenal in Charleston, South Carolina -	489					
A bill making appropriations to carry on and complete certain military surveys -	489					
A bill for the relief of the Brothertown Indians in the Territory of Wisconsin -	489	522, 524	526	722	730	735
A bill to establish a system of internal improvement in Wisconsin -	489	525				
A bill to fix the salaries of the keepers of the public archives in Florida -	489	522, 524	526			
A bill to alter and amend the organic law of the Territories of Wisconsin and Iowa -	489	522, 524	526	699	706, 708	719
A bill in favor of Ellen Turney -	490					
A bill for the relief of Esther Parrot -	490					
A bill for the relief of Elizabeth Rowe -	490					
A bill for the relief of Huldah Farlow -	490					
A bill granting a pension to Alexander Gillis -	490					
A bill for the relief of Peter Hedrick -	490					
A bill for the relief of Cecilia Ragan -	490					
A bill for the relief of Philip Hartman, of Virginia -	490					
A bill granting a pension to Joanna Bartlett -	490					
A bill granting a pension to Emanuel Srofe -	490					
A bill granting a pension to John H. Lincoln -	491					
A bill for the relief of Jacob Euler -	491					
A bill for the relief of Peter W. Short -	491					
A bill for the relief of Sylvester Tiffany -	491					
A bill for the relief of Levi Colmus -	491					
A bill for the relief of Neil Shannon -	491					
A bill for the relief of William Poole -	491					
A bill to provide for the collection and disbursement of the public revenue -	492					
A bill to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes -	504	507, 523, 525	526	722	728, 732	735
A bill granting to the judges of the supreme court of Iowa the same compensation as is by law given to the judges of the supreme court of Wisconsin -	505	525	617	722	728, 732	735
A bill for the improvement and survey of certain rivers, and the repair of certain roads in Florida -	507	522, 524	526	722	728, 732	736

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
1137	A bill to establish a port of entry at St. Joseph, in the Territory of Florida -	508	522, 524	526			
1138	A bill to provide for taking the sixth census or enumeration of the inhabitants of the United States -	509	665	666	721	723, 732, 734	75
1139	A bill to provide for certain harbors, and for the removal of obstructions in and at the mouths of certain rivers, and for other purposes, during the year 1839 -	516					
1140	A bill making provision for a courthouse in Duval county, Florida -	523	525	617			
1141	A bill making appropriations for certain fortifications for the year 1839 -	523					
1142	A bill for the relief of Thomas Latham -	527					
1143	A bill for the relief of Milus W. Dickey -	528					
1144	A bill for the relief of Thomas W. Taylor -	529					
1145	A bill for the relief of the legal representatives of William Williams, sen. deceased -	530					
1146	A bill to provide for the erection of a new jail in the city of Washington, in the District of Columbia -	530	532	535	635	669, 720, 728, 732	7
1147	A bill for the relief of the legal representatives of William Anderson, deceased -	550					
1148	A bill making appropriations for the repair and rebuilding of the wharves of the forts in the harbor of New York -	551					
1149	A bill for the relief of Anne Watson -	552					
1150	A bill for the relief of Henry Peyton -	552					
1151	A bill for the relief of James Boylan -	552					
1152	A bill for the relief of Job Halsey -	552					
1153	A bill for the relief of Burnet Burdsall -	553					
1154	A bill for the relief of John E. Wright -	553					
1155	A bill for the relief of Thomas Wilson -	553					
1156	A bill granting a pension to Randolph Carter -	553					
1157	A bill to authorize certain internal improvements, to institute and continue certain surveys, and for other purposes -	553					
1158	A bill in addition to "An act to promote the progress of the useful arts" -	554					
1159	A bill for the relief of John W. Faunce and Oliver Perrin -	554					
1160	A bill to provide for the disposal and management of the fund bequeathed by James Smithson to the United States, for the establishment of an institution for the increase and diffusion of knowledge among men -	555					

HOUSE BILLS—Continued.

No.	Title.	Reported.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Passed Senate.	Other proceedings.	Approved.
1161	A bill providing for the disposition and management of the fund bequeathed to the United States, in trust, by James Smithson, of London, for the establishment of an institution for the increase and diffusion of knowledge among men -	-555					
1162	A bill for the relief of Daniel Steenrod	640					
1163	A bill for the relief of Wm. P. Rathbone	640					
1164	A bill explanatory of an act entitled "An act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and making surveys for the year 1838," passed July 7, 1838 -	-641					
1165	A bill making appropriations for repairing certain public works -	-641					
1166	A bill to secure to actual settlers on public lands the right to purchase their own improvements, when offered for sale, in preference to others -	-642					
1167	A bill authorizing the issuing of land scrip to satisfy military bounty-land warrants -	-642					
1168	A bill to change the terms of the circuit court for the eastern district of Louisiana, and the southern district of Alabama -	-643					
1169	A bill for the erection of certain military works on the northeastern frontier of the United States -	-643	661, 662				
1170	A bill for the relief of Jacob Adams, of Massachusetts -	-644					
1171	A bill for the relief of Eliaba Bently	644					
1172	A bill granting a pension to Elnathan Sears -	-644					
1173	A bill granting a pension to Christian Brougher -	-644					
1174	A bill authorizing the settlement and payment of the claim of the State of Georgia -	-647					
1175	A bill to regulate the compensation of certain officers of the customs, for the year 1839 -	-658					
1176	A bill giving the President of the United States additional powers for the defence of the United States in certain cases, against invasion, and for other purposes -	-665	669, 684	689	697	698, 717	717

Bills from the Senate.

No.	Title.	Received from Senate.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Other proceedings.	Approved.
1	An act providing for the reduction and graduation of the price of the public lands -	307	356, 359, 363, 364			
2	An act to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof -	367	367, 532, 536	539	552, 616	66
4	An act for the relief of Pierre Menard and others -	367	367, 551			
5	An act for the relief of the heirs of John Brahan, late receiver of public money at Huntsville, Alabama -	98	152, 153, 243, 435	444	477, 482, 492	541
6	An act for the relief of William Jones -	98	152, 550			
7	An act for the relief of William East -	107	152, 435	444	482, 492	541
10	An act to allow a drawback of duty on imported hemp, when manufactured into cordage and exported -	477	480, 523			
11	An act for the relief of John McLeod -	499	505			
12	An act to establish a pension agency at Montpelier, in the State of Vermont -	499	505, 645			
13	An act for the relief of Elisha Town -	51	93, 186, 435	444	482, 492	541
14	An act for the relief of Erastus Fairbanks and Thaddeus Fairbanks -	51	93, 187, 435	444	482, 492	541
15	An act for the relief of Thomas Sumpter -	49	93, 195, 435, 438	444	482, 492	541
16	An act for the relief of Sarah Angel and the other heirs at law of Benjamin King, deceased -	263	301, 437	444	482, 492	541
17	An act to establish an additional land office in the State of Alabama -	98	152, 182			
18	A bill to prevent the counterfeiting of any foreign copper, gold, silver, or other coin, and to prevent the bringing into the United States, or uttering, any counterfeit foreign copper, gold, silver, or other coin -	355	367, 549			
19	An act to amend an act entitled "An act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes -	107	152, 183			
20	An act for the relief of Obed P. Lacy -	477	480, 550			
21	An act to confirm the sale of certain reservations -	107	152, 353	353	482, 492	541
22	An act to authorize John E. Metcalf and others to locate certain pre-emption claims to land in Indiana -	477	480, 642			
26	An act to amend an act entitled "An act to require the judge of the district of East and West Tennessee to hold a court at Jackson, in said State," approved June 18th, 1838 -	107	152, 297	297	363, 365, 367	1, 2
28	An act for the relief of Michael Armbrister -	557	635, 676			
29	An act for the relief of sundry citizens of Arkansas who lost their improvements in					

SENATE BILLS—Continued.

Title.	Received from Senate.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Other proceedings.	Approved.
consequence of a treaty between the United States and the Choctaw Indians -	245	263, 351			
An act granting a pension to David Walker - - - - -	653				
An act making an appropriation for the support of the penitentiary in the District of Columbia - - - - -	245	263, 401, 532	535	544, 555	557
An act to change the location of the office of Surveyor General of the district composed of the States of Ohio, Indiana, and Michigan - - - - -	150	152, 297			
An act granting to the county of Kalamazoo, in the State of Michigan, the right of pre-emption to a quarter section of land, and for other purposes - - - - -	107	152, 243			
An act to create an additional land office in the State of Michigan, and for other purposes - - - - -	150	152, 243			
An act for the relief of John Newton - - - - -	107	152, 296, 437	444	482, 492	541
An act to continue in force the "Act for the final adjustment of private land claims in Missouri," approved 9th July, 1832, and the act supplemental thereto, approved the 2d March, 1833 - - - - -	477	482, 643			
An act to authorize the issuing of a patent to the heirs or legal representatives of Francis Rivard, deceased - - - - -	477	480, 549			
An act to transfer to the citizens of Concordia, in the State of Louisiana, the interest of the United States to a certain tract of land - - - - -	477	480			
An act confirming certain land claims in Louisiana - - - - -	477	481, 676			
An act to confirm claims to lands in the district between the Rio Hondo and Sabine rivers - - - - -	477	481, 549			
An act for the relief of Joseph Bogy - - - - -	477	481, 549			
An act for the relief of Sebastian Bucher, and the heirs and legal representatives of Bartholomew Bucher, Michael Bucher, and Peter Bloom - - - - -	477	481, 641, 676			
An act for the relief of Jean B. Valle - - - - -	107	152, 297, 437	444	482, 492	541
An act for the continuation of the Cumberland road in the States of Ohio, Indiana, and Illinois - - - - -	333	358, 365, 666, 714			
An act to regulate the pay of masters in the navy - - - - -	499	505, 559			
An act for the relief of the owners of the British brig Despatch - - - - -	149	152, 194, 435	444	482, 492	541
An act to remunerate the captors of the privateer Lydia - - - - -	149	152, 194, 435	444	482, 492	541
An act to relinquish to the State of Alabama the two per cent. fund reserved by the act for her admission into the Union, to					

SENATE BILLS—Continued.

No.	Title.	Received from Senate.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Other proceedings.	Approved.
	be applied to the making of a road or roads leading to said State - -	150	152, 383			
61	An act for the benefit of the Alabama, Florida, and Georgia Railroad Company	428	438, 509, 724			
62	An act for the benefit of the Selma and Tennessee Railroad Company - -	499	505, 530, 724, 725			
63	An act granting to the State of Illinois the right of way through the public lands of the United States, and for other purposes	499	505, 530			
64	An act authorizing the President of the United States to cause the mineral lands in the several States and Territories belonging to the United States to be sold, as other public lands - -	150	152, 351			
65	An act further to postpone the fourth installment of the deposit with the States -	108	153			
67	An act in addition to an act for the relief of Walter Loomis and Abel Gay, approved July 2, 1836 - -	355	367			
71	An act to amend an act confirming certain land claims in the State of Michigan -	653				
73	An act for the relief of Isabella Hill, widow of John Hill, Elizabeth Hill, and Samuel Hill, children and minor heirs at law of Samuel Hill, deceased - -	477	481, 529			
74	An act for the relief of Ephraim Sprague -	499	505			
76	An act for the relief of Jechonius Pigot and Benjamin Lecraft, sureties of James Manney, late collector of the customs for the district of Beaufort, in the State of North Carolina - -	149	152, 194, 435	444	483, 493	
77	An act to remit or refund to the Philadelphia, Wilmington, and Baltimore Railroad Company the duties upon certain railroad iron - -	149	152, 190, 435	444	483, 493	
78	An act to amend an act entitled "An act to establish a criminal court in the District of Columbia" - -	313	356, 383, 488, 532	535	557, 558, 616	
80	An act further to regulate the transportation of the mail upon railroads - -	247	263, 305	305	355, 382	
81	An act for the relief of Peter Barge, jr. -	372	385, 692	701	711, 715	
84	An act for the relief of Captain Snodgrass's company of Alabama volunteers - -	499	505, 551			
85	An act to explain and amend the fifth section of the act passed the 13th of June, 1834, for the better organization of the marine corps - -	647	676, 677			
86	An act to authorize the selection of lands for the benefit of the University of Michigan, instead of other lands heretofore selected, and for other purposes - -	633				
93	An act for the relief of Asa Armington and others - -	546	560			

SENATE BILLS—Continued.

Title.	Received from Senate.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Other proceedings.	Approved.
An act for the relief of Joseph Bassett -	546	560, 644			
An act to abolish imprisonment for debt in certain cases -	367	367, 642	642	656, 666	677
An act to extend the jurisdiction of the corporation of the city of Washington over the Potomac bridge -	557	635	666	698, 708	735
An act to authorize the payment of equitable commissions to the agents and attorneys of persons in whose favor awards have been made under three several treaties between the United States and certain foreign Powers, which awards have been retained in the Treasury, in payment of debts due to the United States -	153				
An act for the relief of Jabez L. White and Asa White -	477	481, 549			
An act to authorize the location of the pre-emption certificates given by the register of the land office at Batesville, in Arkansas, under the act of the 26th May, 1824, on any of the public lands for sale in the State of Arkansas -	356				
An act to authorize the inhabitants of township eight north, range thirty-two west, in the State of Arkansas, to enter a section of land in lieu of the sixteenth section in said township, upon condition that the same is surrendered to the United States for military purposes -	656				
An act for the relief of Charles Morgan -	477	481			
An act for the relief of Charles Morgan, of Louisiana -	477	481, 550			
An act supplementary to the act entitled "An act to establish branches of the mint of the United States," approved March 3, 1835 -	372	385, 418			
An act to fix the compensation of the senior clerk employed in the Adjutant General's office -	546	561			
An act for the relief of the assignees of Louis Baron de Ferriet -	477	481, 549			
An act for the relief of John Richey -	656				
An act for the relief of John L. Scott -	656				
An act for the relief of Charles A. Dole -	657				
An act for the relief of James H. Ralston -	661				
An act for the relief of the Nantucket Steamboat Company -	546	561			
An act for the relief of Elisha Eldridge -	546	561, 641			
An act for the relief of J. & W. Beeson and others -	653				
An act for the relief of certain settlers on the public lands, who were deprived of the benefits of the act granting pre-emption rights, which was approved on the 19th of June, 1834 -	547	561, 641, 646			

SENATE BILLS—Continued.

No.	Title.	Received from Senate.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Other proceedings.	Approved.
136	An act authorizing the relinquishment of the 16th sections granted for the use of schools, and the entry of other lands in lieu thereof - - -	547	561, 641			
137	An act to authorize Peter Warner, of Indiana, to purchase a half section of land -	547	561			
138	An act for the relief of Samuel Collins -	636				
139	An act for the relief of the corporate authorities of the city of Mobile -	150	152, 435, 676			
143	An act for the relief of Daniel B. Bush -	657				
144	An act to explain and limit the powers of the circuit court of the District of Columbia -	653				
145	An act respecting the heirs of Agnes Dundas -	547	561			
147	An act for the relief of the heirs of Francis Newman, late collector of internal revenue and direct taxes in Maryland -	657				
149	An act to revive an act authorizing certain soldiers of the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof, and for other purposes - - -	653				
150	An act granting to certain persons therein named the right of pre-emption to a fraction of a section of land in Ottawa county, in the State of Michigan -	657				
152	An act to relinquish to the State of Mississippi the two per cent. fund accruing by the act for the admission of said State into the Union - - -	263	383			
154	An act for the relief of Joseph Cochran -	477	481			
155	An act supplementary to an act entitled "An act to amend an act for the appointment of commissioners to adjust the claims to reservations of land under the 14th article of the treaty of 1830 with the Choctaw Indians - - -	478	481, 633, 725			
156	An act for the relief of the heirs of Madame De Lusser, and their legal representatives -	478	481, 676			
157	An act for the relief of John S. Billings -	657				
159a	An act for the relief of Alvarez Fisk, and the legal representatives of Thos. P. Ekridge -	492	500			
159b	An act to provide for additional clerks in the Post Office Department, and the Auditor's office connected therewith, and for other purposes - - -	657				
160	An act to provide for the armed occupation and settlement of that part of Florida which is now overrun and infested by marauding bands of hostile Indians -	616	636			
164	An act for the relief of Juan Belgar -	478	481, 550			
165	An act granting a pension to Hannah Leighton - - -	657	670			
166	An act for the relief of Richard Robertson -	657				
167	An act to confirm the title to a certain tract of land in the county of Mobile -	476	481, 643			

SENATE BILLS—Continued.

Title.	Received from Senate.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Other proceedings.	Approved.
An act for the relief of Henry Wilson, confirming purchases of certain land in Arkansas - - -	373	385	488	507, 524	541
An act to amend an act entitled "An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same," passed the 18th day of April, 1836 - - -	373	385, 691, 736			
An act for the relief of the widow and other heirs at law of Alexander Hamilton, deceased - - -	657	-	669	698, 708	735
An act to grant the right of pre-emption to a quantity of land to aid in the construction of a railroad from New Albany, in the State of Indiana, to Mount Carmel, in the State of Illinois - - -	636	647, 735			
An act to renew the patent of Thomas Blanchard - - -	245	263, 354	361	431, 482, 492	541
[Title amended, "An act to carry into effect the intention of an act entitled 'An act to renew the patent of Thomas Blanchard,' approved June 13, 1834."]					
An act for the relief of John Burke - - -	657				
An act for the relief of Josephine Nourse - - -	657				
An act for the relief of Gad Humphreys, of the Territory of Florida - - -	355	367, 640			
An act for the relief of William B. Ferguson and sureties - - -	372	385, 485	485	499, 507, 524	541
An act for the relief of Dr. John Campbell White, of Baltimore, in the State of Maryland - - -	369	371, 488	488	507, 524	541
An act to authorize the Secretary of War to adjust and pay to Benjamin Murphy, of Arkansas, the value of his corn, cattle, and hogs, taken by the Cherokee Indians in the month of December, 1838 - - -	636				
An act for the relief of the sureties of Elias T. Langham, late surveyor of the public lands for the States of Missouri and Illinois - - -	478	481, 528	528	544, 555	557
An act supplementary to the act entitled "An act to provide for the organization of the department of Indian affairs," and "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier," approved June 30, 1834 - - -	478	481, 550			
An act to authorize the appointment of three additional clerks in the office of the Commissioner of Indian Affairs - - -	478	481, 551			
An act to settle the title to a certain tract of land in the State of Arkansas - - -	478	481, 677			
An act to authorize the Secretary of the Treasury to extend the time for the pay-					

SENATE BILLS—Continued.

No.	Title.	Received from Senate.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Other proceedings.	Approved.
	ment of the duties upon certain bonds given by the Alabama, Florida, and Georgia Railroad Company, for the duties upon a quantity of railroad iron imported by the said company, and for the laying of the said iron upon railroads -	428	439, 504, 725			
229	An act in amendment of the acts respecting the judicial system of the United States -	633	636, 645	646	656, 666	67
231	An act for the relief of the legal representatives of John J. Bulow, deceased -	633				
240	An act to fix the minimum price of the lands acquired by the Miami treaty of 6th November, 1838 -	636				
241	An act for the relief of William H. Robertson, Samuel H. Garrow, and J. W. Simonton -	372	385, 488			
246	An act to repeal certain acts respecting navy pensions, and making further provision in relation to navy pensions -	633				
247	An act for the relief of Samuel Mackay -	661				
253	An act for the relief of Daniel Marsaque -	478	481, 643			
254	An act for the relief of the legal heirs and representatives of William Conway -	478	481			
255	An act for the relief of Pierre Babin -	478	481			
256	An act in addition to "An act to promote the progress of the useful arts" -	616	677, 720	721	726, 730	75
258	An act further to prescribe the duties of collectors of the customs, and other officers and agents in the employment of the United States; prohibiting the admission of certain offsets in suits against the debtors of the Government; and to provide for the punishment of public defaulters -	618				
263	An act for the relief of the heirs of Madame De Lusser -	478	481			
265	An act to prevent the abatement of suits and actions now pending, in which the Bank of Columbia, in Georgetown, may be a party -	478	481	642	656, 666	67
266	An act for the relief of the heirs of Miguel de Eslava -	478	481, 676			
267	An act for the relief of Mira M. Alexander -	618				
269	An act to authorize the Washington County and St. Genevieve Railroad Company, in the State of Missouri, to construct a road through the public lands -	633				
273	An act to incorporate Georgetown College, in the District of Columbia -	557	635, 667	667		
279	An act supplementary to the "Act granting certain city lots to the corporation of the Columbian College for the purposes therein mentioned," approved the 14th day of July, 1832 -	557	635	642	656, 666	67
281	An act to amend the act of the 3d March, 1837, entitled "An act supplementary to					

SENATE BILLS—Continued.

a.	Title.	Received from Senate.	Proceedings in Committee of the Whole, and in the House.	Passed H. R.	Other proceedings.	Approved.
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1	An act for the relief of John H. Jacobs -	636				
4	An act authorizing the erection of certain light-houses, light-boats, and the establishment of certain buoys and beacon-lights -	661				
5	An act for the relief of parties interested in the unsettled estates of persons proceeded against as bankrupts under the former bankrupt law of the United States -	657				

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ack Rock, Niagara river. See bill Ho. No. 1139.

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anchard, Thomas, for relief of. See bill S. No. 177.

ockade of Mexico by France—see Mexico.

ock-island harbor. See bill Ho. No. 766.

oard of Claims to make special order—see Order.

onds, debenture, on coal—see Debenture.

of collectors of customs—see Collectors and Customs.

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APPENDIX.

STANDING RULES AND ORDERS

FOR CONDUCTING BUSINESS IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

As amended at the third session of the twenty-fifth Congress.

Touching the duty of the Speaker.

1. He shall take the chair every day precisely at the hour to which the House shall have adjourned on the preceding day; shall immediately call the members to order; and, on the appearance of a quorum, shall cause the Journal of the preceding day to be read.

2. He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by at least two members; on which appeal no member shall speak more than once, unless by leave of the House.

3. He shall rise to put a question, but may state it sitting.

4. Questions shall be distinctly put in this form, to wit: "As many as are of opinion that (as the question may be) say Ay;" and, after the affirmative voice is expressed, "As many as are of the contrary opinion say No." If the Speaker doubts, or a division be called for, the House shall divide: those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative. If the Speaker still doubts, or a count be required, the Speaker shall name two members, one from each side, to tell the members in the affirmative; which being reported, he shall then name two others, one from each side, to tell those in the negative; which being also reported, he shall rise, and state the decision to the House. No division and count of the House by tellers shall be in order, but upon motion seconded by at least one-fifth of a quorum of the members.

5. When any motion or proposition is made, the question, "Will the House now consider it?" shall not be put, unless it is demanded by any member, or is deemed necessary by the Speaker.

6. The Speaker shall examine and correct the Journal before it is read. He shall have a general direction of the Hall. He shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

7. All committees shall be appointed by the Speaker, unless otherwise specially directed by the House, in which case they shall be appointed by ballot; and if, upon such ballot, the number required shall not be a

by a majority of the votes given, the House shall proceed to a second ballot, in which a plurality of votes shall prevail; and, in case a greater number than is required to compose or complete a committee shall have an equal number of votes, the House shall proceed to a further ballot or ballots.

8. In all other cases of ballot than for committees, a majority of the votes given shall be necessary to an election; and where there shall not be such a majority on the first ballot, the ballot shall be repeated until a majority be obtained. And in all ballotings blanks shall be rejected and not taken into the count in the enumeration of votes, or reported by the tellers.

9. In all cases of ballot by the House, the Speaker shall vote; in other cases he shall not vote, unless the House be equally divided, or unless his vote, if given to the minority, will make the division equal; and, in case of such equal division, the question shall be lost.

10. In all cases where other than members of the House may be eligible to an office by the election of the House, there shall be a previous nomination.

11. In all cases of election by the House of its officers, the vote shall be taken *viva voce*. (December 10, 1838.)

12. All acts, addresses, and joint resolutions, shall be signed by the Speaker; and all writs, warrants, and subpoenas, issued by order of the House, shall be under his hand and seal, attested by the Clerk.

13. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

14. No person, except members of the Senate, their Secretary, Heads of Departments, Treasurer, Comptrollers, Registers, Auditors, Postmaster General, President's Secretary, Chaplains to Congress, Judges of the United States, Foreign Ministers and their Secretaries, officers who, by name, have received, or shall hereafter receive, the thanks of Congress for their gallantry and good conduct displayed in the service of their country, the Commissioners of the Navy Board, Governor, for the time being, of any State or Territory of the Union, who may attend at the seat of the General Government during the session of Congress, and who may choose to avail himself of such privilege, such gentlemen as have been Heads of Departments, or members of either branch of the Legislature, and, at the discretion of the Speaker, persons who belong to such Legislatures of foreign Governments as are in amity with the United States, shall be admitted within the Hall of the House of Representatives.

15. Stenographers, wishing to take down the debates, may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect their object, as shall not interfere with the convenience of the House.

16. No person shall be allowed the privilege of the Hall, under the character of stenographer, without a written permission from the Speaker, specifying the part of the Hall assigned to him; and no reporter or stenographer shall be admitted under the rules of the House, unless such reporter or stenographer shall state, in writing, for what paper or papers he is employed to report. (March 1, 1838.)

17. The Doorkeeper shall execute strictly the 13th and 14th rules, relative to the privilege of the Hall. (March 1, 1838.)

Order of Business of the Session.

18. After six days from the commencement of a second or subsequent session of any Congress, all bills, resolutions, and reports, which originated in the House, and at the close of the next preceding session remained undetermined, shall be resumed and acted on in the same manner as if no adjournment had not taken place.

Order of Business of the Day.

19. As soon as the Journal is read, the Speaker shall call for petitions from the members of each State, and delegates from each Territory, beginning with Maine and the Territory of Wisconsin, alternately; and if on any day, the whole of the States and Territories shall not be called, the Speaker shall begin on the next day where he left off the previous day: provided that, after the first thirty days of the session, petitions shall not be received, except on the first day of the meeting of the House each week.

20. The petitions having been presented and disposed of, reports from committees shall be called for and disposed of; in doing which, the Speaker shall call upon each standing committee, in the order they are named in the 61st and 89th rules; and when all the standing committees have been called on, then it shall be the duty of the Speaker to call for reports from select committees; if the Speaker shall not get through the call upon the committees before the House passes to other business, he shall resume the next call where he left off. Resolutions shall then be called for in the same order, and disposed of by the same rules which apply to petitions: provided that no member shall offer more than one resolution, or a series of resolutions all relating to the same subject, until all the States and Territories shall have been called.

21. All the States and Territories shall be called for resolutions on each alternate Monday during each session of Congress; and, if necessary to secure this object on said days, all resolutions which shall give rise to debate shall lie over for discussion, under the rules of the House already established; and the whole of said days shall be appropriated to resolutions, until all the States and Territories are called through. (February 6, 1838.) And on the first and fourth Friday of each month the calendar of private bills shall be called over; and the bills to the passage of which no objection shall then be made, shall be first considered and disposed of. (January 25, 1839.)

22. After one hour shall have been devoted to reports from committees and resolutions, it shall be in order, pending the consideration or discussion thereof, to entertain a motion that the House do now proceed to dispose of the business on the Speaker's table, and to the orders of the day, which being decided in the affirmative, the Speaker shall dispose of the business on his table in the following order, viz:

1st. Messages and other Executive communications.

2d. Messages from the Senate, and amendments proposed by the Senate to bills of the House.

3d. Bills and resolutions from the Senate on their first and second readings, that they be referred to committees and put under way: but when being read a second time, no motion be made to commit, they shall be ordered to their third reading, unless objection be made: in which case, if not otherwise ordered by a majority of the House

they are to be laid on the table in the general file of bills on the Speaker's table, to be taken up in their turn.

4th. Engrossed bills and bills from the Senate on their third reading.

5th. Bills of the House, and from the Senate, on the Speaker's table, on their engrossment, or on being ordered to a third reading, to be taken up and considered in the order of time in which they passed to a second reading.

The messages, communications, and bills on his table having been disposed of, the Speaker shall then proceed to call the orders of the day.

23. The business specified in the two preceding rules shall be done at no other part of the day, except by permission of the House.

Local or Private Business.

24. Friday and Saturday in every week shall be set apart for the consideration of private bills and private business, in preference to any other, unless otherwise determined by a majority of the House.

Of Decorum and Debate.

25. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat, and respectfully address himself to "Mr. Speaker," and shall confine himself to the question under debate, and avoid personality.

26. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order; in which case, the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide on the case, but without debate: if there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed, in case any member object, without leave of the House; and, if the case require it, he shall be liable to the censure of the House.

27. If a member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to the censure of the House, for words spoken in debate, if any other member has spoken, or other business has intervened, after the words spoken, and before exception to them shall have been taken.

28. When two or more members happen to rise at once, the Speaker shall name the member who is first to speak.

29. No member shall speak more than twice to the same question, without leave of the House; nor more than once, until every member choosing to speak shall have spoken.

30. If a question depending be lost by adjournment of the House, and revived on the succeeding day, no member, who shall have spoken twice on the preceding day, shall be permitted again to speak without leave.

31. Whilst the Speaker is putting any question, or addressing the House, none shall walk out of or across the House; nor, in such case, or when a member is speaking, shall entertain private discourse; nor, whilst

a member is speaking, shall pass between him and the Chair. Every member shall remain uncovered during the sessions of the House. No member or other person shall visit or remain by the Clerk's table while the ayes and noes are calling, or ballots are counting.

32. No member shall vote on any question in the event of which he is immediately and particularly interested, or in any case where he was not within the bar of the House when the question was put. And when any member shall ask leave to vote, the Speaker shall propound to him the question—“*Were you within the bar when your name was called?*”

33. Upon a division and count of the House on any question, no member without the bar shall be counted.

34. Every member who shall be in the House when the question is put, shall give his vote, unless the House, for special reasons, shall excuse him. All motions to excuse a member from voting shall be made before the House divides, or before the call of the yeas and nays is commenced; and any member requesting to be excused from voting, may make a brief verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

35. When a motion is made and seconded, it shall be stated by the Speaker; or, being in writing, it shall be handed to the Chair, and read aloud by the Clerk, before debated.

36. Every motion shall be reduced to writing, if the Speaker or any member desire it.

37. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn at any time before a decision or amendment.

38. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

39. When a resolution shall be offered, or a motion made, to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

The Committee of the Whole House on the state of the Union; the Committee of the Whole House; a Standing Committee; a Select Committee.

40. A motion to adjourn shall be always in order; that, and the motion to lie on the table, shall be decided without debate.

41. The hour at which every motion to adjourn is made, shall be entered on the journal. (October 9, 1837.)

42. The previous question shall be in this form: “Shall the main question be now put?” It shall only be admitted when demanded by a majority of the members present; and, until it is decided, shall preclude all amendment, and further debate of the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the House shall be in order; but, after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

43. On a previous question there shall be no debate. All incidents:

questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

44. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

45. Any member may call for the division of a question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert.

46. Motions and reports may be committed at the pleasure of the House.

47. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. No bill or resolution shall, at any time, be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.

48. When a motion has been once made, and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or the succeeding day; and such motion shall take precedence of all other questions, except a motion to adjourn.

49. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the House.

50. The unfinished business in which the House was engaged at the last preceding adjournment shall have the preference in the orders of the day; and no motion on any other business shall be received, without special leave of the House, until the former is disposed of.

51. Every order, resolution, or vote, to which the concurrence of the Senate shall be necessary, shall be read to the House, and laid on the table, on a day preceding that in which the same shall be moved, unless the House shall otherwise expressly allow.

52. Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall be made verbally by the introducer; they shall not be debated on the day of their being presented, nor on any day assigned by the House for the receipt of petitions after the first thirty days of the session, unless where the House shall direct otherwise, but shall lie on the table, to be taken up in the order in which they were presented.

53. A proposition requesting information from the President of the United States, or directing it to be furnished by the head of either of the Executive Departments, or by the Postmaster General, or to print an extra number of any document or other matter, excepting messages of the President to both Houses at the commencement of each session of Congress, and the reports and documents connected with or referred to in it, shall lie on the table one day for consideration, unless otherwise ordered by the unanimous consent of the House; and all such propositions shall be taken up for consideration in the order they were presented, immediately after reports are called for from select committees; and, when adopted, the Clerk shall cause the same to be delivered.

54. Any fifteen members (including the Speaker, if there be one) shall be authorized to compel the attendance of absent members.

55. Upon calls of the House, or in taking the yeas and nays on any question, the names of the members shall be called alphabetically.

56. Any member may excuse himself from serving on any committee at the time of his appointment, if he is then a member of two other committees.

57. No member shall absent himself from the service of the House, unless he have leave, or be sick and unable to attend.

58. Upon the call of the House, the names of the members shall be called over by the Clerk, and the absentees noted; after which the names of the absentees shall again be called over, the doors shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, if fifteen in number, be taken into custody as they appear, or may be sent for and taken into custody, wherever to be found, by special messengers to be appointed for that purpose.

59. When a member shall be discharged from custody, and admitted to his seat, the House shall determine whether such discharge shall be with or without paying fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger, shall, or shall not, be liable to defray the expense of such special messenger.

60. A Sergeant-at-arms shall be appointed, to hold his office during the pleasure of the House, whose duty it shall be to attend the House during its sittings; to execute the commands of the House from time to time; together with all such process, issued by authority thereof, as shall be directed to him by the Speaker.

61. The fees of the Sergeant-at-arms shall be, for every arrest, the sum of two dollars; for each day's custody and releasement, one dollar; and for travelling expenses for himself or a special messenger, going and returning, one-tenth of a dollar per mile.

62. Twenty-seven standing committees shall be appointed at the commencement of each session, viz :

A Committee of Elections,
 A Committee of Ways and Means,
 A Committee of Claims,
 A Committee on Commerce,
 A Committee on the Public Lands,
 A Committee on the Post Office and Post Roads,
 A Committee for the District of Columbia,
 A Committee on the Judiciary,
 A Committee on Revolutionary Claims,
 A Committee on Public Expenditures,
 A Committee on Private Land Claims,
 A Committee on Manufactures,
 A Committee on Agriculture,
 A Committee on Indian Affairs,
 A Committee on Military Affairs,
 A Committee on the Militia,
 A Committee on Naval Affairs,
 A Committee on Foreign Affairs,
 A Committee on the Territories,
 A Committee on Revolutionary Pensions,
 A Committee on Invalid Pensions,
 A Committee on Roads and Canals,

To consist of nine members each

A Committee on Patents,
 A Committee on Public Buildings and Grounds,
 A Committee of Revision and Unfinished Business,
 A Committee of Accounts,
 A Committee on Mileage,

To consist of five members each

63. It shall be the duty of the Committee of Elections to examine and report upon the certificates of election, or other credentials, of the members returned to serve in this House; and to take into their consideration all such petitions, and other matters touching elections and returns, as shall or may be presented, or come into question, and be referred to them by the House.

64. It shall be the duty of the Committee of Ways and Means to take into consideration all such reports of the Treasury Department, and all such propositions relative to the revenue, as may be referred to them by the House; to inquire into the state of the public debt or the revenue, and of the expenditure; and to report, from time to time, their opinion thereon; [to examine into the state of the several public Departments, and particularly into the laws making appropriations of moneys, and to report whether the moneys have been disbursed conformably with such laws; and also to report, from time to time, such provisions and arrangements as may be necessary to add to the economy of the Departments, and the accountability of their officers.*]

In preparing bills of appropriations for other objects, the Committee of Ways and Means shall not include appropriations for carrying into effect treaties made by the United States; and where an appropriation bill shall be referred to them for their consideration, which contains appropriations for carrying a treaty into effect, and for other objects, they shall propose such amendments as shall prevent appropriations for carrying a treaty into effect being included in the same bill with appropriations for other objects.

65. It shall also be the duty of the Committee of Ways and Means, within thirty days after their appointment, at every session of Congress commencing on the first Monday of December, to report the general appropriation bills—for the civil and diplomatic expenses of Government; for the army; for the navy; and for the Indian department and Indian annuities; or, in failure thereof, the reasons of such failure.

66. General appropriation bills shall be in order in preference to any other bills of a public nature, unless otherwise ordered by a majority of the House.

67. No appropriation shall be reported in such general appropriation bills, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

68. It shall be the duty of the Committee of Claims to take into consideration all such petitions, and matters or things touching claims and demands on the United States, as shall be presented, or shall or may come in question and be referred to them by the House; and to report their opinion thereupon, together with such propositions for relief therein as to them shall seem expedient.

69. It shall be the duty of the Committee on Commerce to take into

* That portion of the duty of the Committee of Ways and Means which is printed within brackets was, originally, adopted on the 7th January, 1803. On the 26th February, 1814, the Committee on Public Expenditures was created, and added to the list of Standing Committees; the duties of this latter committee are exactly those contained in that portion of the duties of the Committee of Ways and Means which are referred to in this note as within brackets.—See rule 74. The words ought to be stricken from the specification of the duties of the Committee of Ways and Means.

consideration all such petitions and matters or things touching the commerce of the United States, as shall be presented, or shall or may come into question and be referred to them by the House; and to report, from time to time, their opinion thereon.

70. It shall be the duty of the Committee on the Public Lands to take into consideration all such petitions and matters or things respecting the lands of the United States, as shall be presented, or shall or may come in question and be referred to them by the House; and to report their opinion thereon, together with such propositions for relief therein as to them shall seem expedient.

71. It shall be the duty of the Committee on the Post Office and Post Roads to take into consideration all such petitions and matters or things touching the post office and post roads, as shall be presented, or may come in question and be referred to them by the House; and to report their opinion thereupon, together with such propositions relative thereto as to them shall seem expedient.

72. It shall be the duty of the Committee for the District of Columbia to take into consideration all such petitions and matters or things touching the said District as shall be presented, or shall come in question and be referred to them by the House; and to report their opinion thereon, together with such propositions relative thereto as to them shall seem expedient.

73. It shall be the duty of the Committee on the Judiciary to take into consideration such petitions and matters or things touching judicial proceedings as shall be presented, or may come in question and be referred to them by the House; and to report their opinion thereupon, together with such propositions relative thereto as to them shall seem expedient.

74. It shall be the duty of the Committee on Revolutionary Claims to take into consideration all such petitions and matters or things touching claims and demands originating in the revolutionary war, or arising therefrom, as shall be presented, or shall or may come in question and be referred to them by the House; and to report their opinion thereupon, together with such propositions for relief therein as to them shall seem expedient.

75. It shall be the duty of the Committee on Public Expenditures to examine into the state of the several public Departments, and particularly into laws making appropriations of moneys, and to report whether the moneys have been disbursed conformably with such laws; and also to report, from time to time, such provisions and arrangements as may be necessary to add to the economy of the Departments, and the accountability of their officers.*

76. It shall be the duty of the Committee on Private Land Claims to take into consideration all claims to land which may be referred to them, or shall or may come in question; and to report their opinion thereupon, together with such propositions for relief therein as to them shall seem expedient.

77. It shall be the duty of the Committee on Military Affairs to take into consideration all subjects relating to the military establishment and

* See note to Rule 64:—And farther, on the 30th March, 1816, six Committees on Expenditures in the several Departments of the Government were created and added to the list of Standing Committees. The duties assigned to these several committees would seem entirely to cover the duties of the Committee on Public Expenditures. See Rules 90 and 91.

public defence, which may be referred to them by the House, and to report their opinion thereupon; and also to report, from time to time, such measures as may contribute to economy and accountability in the said establishment.

78. It shall be the duty of the Committee on the Militia to take into consideration and report on all subjects connected with the organizing, arming, and disciplining the militia of the United States.

79. It shall be the duty of the Committee on Naval Affairs to take into consideration all matters which concern the naval establishment, and which shall be referred to them by the House, and to report their opinion thereupon; and also to report, from time to time, such measures as may contribute to economy and accountability in the said establishment.

80. It shall be the duty of the Committee on Foreign Affairs to take into consideration all matters which concern the relations of the United States with foreign nations, and which shall be referred to them by the House, and to report their opinion on the same.

81. It shall be the duty of the Committee on the Territories to examine into the legislative, civil, and criminal proceedings of the Territories, and to devise and report to the House such means as, in their opinion, may be necessary to secure the rights and privileges of residents and non-residents.

82. It shall be the duty of the Committee on Revolutionary Pensions to take into consideration all such matters respecting pensions for services in the revolutionary war, other than invalid pensions, as shall be referred to them by the House.

83. It shall be the duty of the Committee on Invalid Pensions to take into consideration all such matters respecting invalid pensions as shall be referred to them by the House.

84. It shall be the duty of the Committee on Roads and Canals to take into consideration all such petitions and matters or things relating to roads and canals, and the improvement of the navigation of rivers, as shall be presented, or may come in question, and be referred to them by the House; and to report thereupon, together with such propositions relative thereto as to them shall seem expedient.

85. It shall be the duty of the Committee on Patents to consider all subjects relating to patents which may be referred to them, and report their opinion thereon, together with such propositions relative thereto as may seem to them expedient.

86. It shall be the duty of the Committee on Public Buildings and Grounds to consider all subjects relating to the public edifices and grounds within the city of Washington which may be referred to them, and report their opinion thereon, together with such propositions relating thereto as may seem to them expedient.

87. It shall be the duty of the Committee of Revisal and Unfinished Business to examine and report what laws have expired, or are near expiring, and require to be revived or further continued; also, to examine and report, from the Journal of last session, all such matters as were then depending and undetermined.

88. It shall be the duty of the Committee of Accounts to superintend and control the expenditures of the contingent fund of the House of Representatives, and to audit and settle all accounts which may be charged

thereon; and also to audit the accounts of the members for their travel to and from the seat of Government, and their attendance in the House.*

89. It shall be the duty of the Committee on Mileage to ascertain and report the distance to the Sergeant-at-arms for which each member shall receive pay.

90. Six additional standing committees shall be appointed at the commencement of the first session in each Congress, whose duties shall continue until the first session of the ensuing Congress:

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|--|------------------------------------|
| 1. A committee on so much of the public accounts and expenditures as relate to the Department of State; | } To consist of five members each. |
| 2. A committee on so much of the public accounts and expenditures as relate to the Treasury Department; | |
| 3. A committee on so much of the public accounts and expenditures as relate to the Department of War; | |
| 4. A committee on so much of the public accounts and expenditures as relate to the Department of the Navy; | |
| 5. A committee on so much of the public accounts and expenditures as relate to the Post Office; and | |
| 6. A committee on so much of the public accounts and expenditures as relate to the Public Buildings; | |

91. It shall be the duty of the said committees to examine into the state of the accounts and expenditures respectively submitted to them, and to inquire and report particularly—

Whether the expenditures of the respective Departments are justified by law:

Whether the claims from time to time satisfied and discharged by the respective Departments are supported by sufficient vouchers, establishing their justness both as to their character and amount:

Whether such claims have been discharged out of funds appropriated therefor; and whether all moneys have been disbursed in conformity with appropriation laws; and

Whether any, and what, provisions are necessary to be adopted to provide more perfectly for the proper application of the public moneys, and to secure the Government from demands unjust in their character, or extravagant in their amount.

And it shall be, moreover, the duty of the said committees to report from time to time, whether any, and what, retrenchment can be made in the expenditures of the several Departments, without detriment to the public service; whether any, and what, abuses at any time exist in the failure to enforce the payment of moneys which may be due to the United States from public defaulters or others; and to report, from time to time, such provisions and arrangements as may be necessary to add to the economy of the several Departments and the accountability of their officers.

92. The several standing committees of the House shall have leave to report by bill or otherwise.

93. No committee shall sit during the sitting of the House, without special leave.

* So much of this rule as directs the Committee of Accounts to audit and settle the salary and daily pay of the members, was adopted at the 1st Session 19th Congress, (1812.) At the 1st Session of the 25th Congress, (1837,) a Standing Committee on Mileage was created for the especial purpose of ascertaining and reporting the mileage for which each member shall receive pay.—See Rule 88.

† See notes to Rules 68 and 74.

94. The Clerk of the House shall take an oath for the true and faithful discharge of the duties of his office, to the best of his knowledge and abilities, and shall be deemed to continue in office until another be appointed.

95. It shall be the duty of the Clerk to make, and cause to be printed, and delivered to each member, at the commencement of every session of Congress, a list of the reports which it is the duty of any officer or Department of the Government to make to Congress; referring to the act or resolution, and page of the volume of the Laws or Journal in which it may be contained; and placing under the name of each officer the list of reports required of him to be made, and the time when the report may be expected.

96. It shall be the duty of the Clerk of the House, at the end of each session, to send a printed copy of the Journals thereof to the Executive, and to each branch of the Legislature, of every State.

97. All questions of order shall be noted by the Clerk, with the decision, and put together at the end of the Journal of every session.

98. Whenever confidential communications are received from the President of the United States, the House shall be cleared of all persons, except the members, Clerk, Sergeant-at-arms, and Doorkeeper, and so continue during the reading of such communications, and (unless otherwise directed by the House) during all debates and proceedings to be had thereon. And when the Speaker, or any other member, shall inform the House that he has communications to make, which he conceives ought to be kept secret, the House shall, in like manner, be cleared till the communication be made; the House shall then determine whether the matter communicated requires secrecy or not, and take order accordingly.

99. The Sergeant-at-arms and the Doorkeeper shall be sworn to keep the secrets of the House.

100. All questions relating to the priority of business to be acted on shall be decided without debate.

Of Bills.

101. Every bill shall be introduced on the report of a committee, or by motion for leave. In the latter case, at least one day's notice shall be given of the motion; and the motion shall be made, and the bill introduced, if leave is given, when resolutions are called for: such motion, or the bill when introduced, may be committed.

102. Every bill shall receive three several readings in the House, previous to its passage; and bills shall be despatched in order as they were introduced, unless where the House shall direct otherwise; but no bill shall be twice read on the same day, without special order of the House.

103. The first reading of a bill shall be for information; and, if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without a question.

104. Upon the second reading of a bill, the Speaker shall state it as ready for commitment or engrossment; and, if committed, then a question shall be, whether to a select or standing committee, or to a Committee of the Whole House: if to a Committee of the Whole House, the House shall determine on what day; if no motion be made to commit, the question shall be stated on its engrossment; and if it be not ordered to be engrossed

on the day of its being reported, it shall be placed in the general file on the Speaker's table, to be taken up in its order. But, if the bill be ordered to be engrossed, the House shall appoint the day when it shall be read the third time.

105. Not more than three bills originating in the House shall be committed to the same Committee of the Whole; and such bills shall be analogous in their nature, which analogy shall be determined by the Speaker.

106. After commitment and report thereof to the House, or at any time before its passage, a bill may be recommitted.

107. All bills ordered to be engrossed shall be executed in a fair round hand.

108. No amendment by way of *rider* shall be received to any bill on its third reading.

109. When a bill shall pass, it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

Of Committees of the Whole House.

110. It shall be a standing order of the day, throughout the session, for the House to resolve itself into a Committee of the Whole House on the state of the Union.

111. In forming a Committee of the Whole House, the Speaker shall leave his chair, and a chairman, to preside in committees, shall be appointed by the Speaker.

112. Upon bills committed to a Committee of the Whole House, no bill shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered: the body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper as the same shall be agreed to by the committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by clauses, before a question to engross it be taken.

113. All amendments made to an original motion in committee shall be incorporated with the motion, and so reported.

114. All amendments made to a report committed to a Committee of the Whole House shall be noted and reported, as in the case of bills.

115. All questions, whether in committee or in the House, shall be propounded in the order in which they were moved, except that, in filling up blanks, the largest sum and longest time shall be first put.

116. No motion or proposition for a tax or charge upon the people shall be discussed the day in which it is made or offered; and every such proposition shall receive its first discussion in a Committee of the Whole House.

117. No sum or quantum of tax or duty, voted by a Committee of the Whole House, shall be increased in the House until the motion or proposition for such increase shall be first discussed and voted in a Committee of the Whole House; and so in respect to the time of its continuance.

118. All proceedings touching appropriations of money shall be first discussed in a Committee of the Whole House.

119. The rules of proceedings in the House shall be observed in a Committee of the Whole House, so far as they may be applicable, except the rule limiting the time of speaking; but no member shall speak twice on any question, until every member choosing to speak shall have spoken.

120. No standing rule or order of the House shall be rescinded or changed without one day's notice being given of the motion therefor. Nor shall any rule be suspended, except by a vote of at least two-thirds of the members present. Nor shall the order of business, as established by the rules of the House, be postponed or changed, except by a vote of at least two-thirds of the members present.

121. It shall be in order for the Committee on Enrolled Bills to report at any time.

122. The rules of Parliamentary Practice, comprised in Jefferson's Manual, shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House, and the Joint Rules of the Senate and House of Representatives.

123. No person shall be permitted to perform divine service in the chamber occupied by the House of Representatives, unless with the consent of the Speaker.

124. The rule for paying witnesses summoned to appear before this House, or either of its committees, shall be as follows: for each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to or going from the place of examination, the sum of ten cents each way; but nothing shall be paid for travelling home when the witness has been summoned at the place of trial.

125. The Clerk shall, within thirty days after the close of each session of Congress, cause to be completed the printing and primary distribution, to members and delegates, of the Journal of the House, together with an accurate index to the same. (Order of June 18, 1832.)

126. There shall be retained in the library of the Clerk's office, for the use of the members there, and not to be withdrawn therefrom, two copies of all the books and printed documents deposited in the library. (Order of December 22, 1826.)

127. The Clerk shall have preserved for each member of the House an extra copy, in good binding, of all the documents printed by order of either House at each future session of Congress. (Order of February 9, 1831.)

128. It shall be the duty of the Clerk to make a weekly statement of the resolutions and bills (Senate bills inclusive) upon the Speaker's table, accompanied with a brief reference to the orders and proceedings of the House upon each, and the date of such orders and proceedings; which statement shall be printed for the use of the members. (Order of April 21, 1836.)

129. The unappropriated rooms in that part of the Capitol assigned to the House shall be subject to the order and disposal of the Speaker, until the further order of the House. (May 26, 1824.)

130. The Clerk shall cause an index to be prepared to the acts passed at every session of Congress, and to be printed and bound with the acts. (July 14, 1832.)

131. Maps accompanying documents shall not be printed, under the general order to print, without the special direction of the House. (March 2, 1837; September 11, 1837.)

JOINT RULES AND ORDERS OF THE TWO HOUSES.

1. In every case of an amendment of a bill agreed to in one House and dissented to in the other, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committee shall, at a convenient hour, to be agreed on by their chairman, meet in the conference chamber, and state to each other, verbally or in writing, as either shall choose, the reasons of their respective Houses for and against the amendment, and confer freely thereon.

2. When a message shall be sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the Door keeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

3. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Senate.

4. Messages shall be sent by such persons as a sense of propriety in each House may determine to be proper.

5. While bills are on their passage between the two Houses, they shall be on paper, and under the signature of the Secretary or Clerk of each House respectively.

6. After a bill shall have passed both Houses, it shall be duly enrolled on parchment by the Clerk of the House of Representatives, or the Secretary of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the President of the United States.

7. When bills are enrolled, they shall be examined by a joint committee of two from the Senate and two from the House of Representatives, appointed as a standing committee for that purpose, who shall carefully compare the enrolment with the engrossed bills as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bills, make their report forthwith to their respective Houses.

8. After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the House of Representatives, then by the President of the Senate.

9. After a bill shall have been thus signed in each House, it shall be presented, by the said committee, to the President of the United States for his approbation, (it being first endorsed on the back of the roll, certifying in which House the same originated; which endorsement shall be signed by the Secretary or Clerk [as the case may be] of the House in which the same did originate,) and shall be entered on the Journal of each House. The said committee shall report the day of presentation to the President; which time shall also be carefully entered on the Journal of each House.

10. All orders, resolutions, and votes, which are to be presented to the President of the United States for his approbation, shall also, in the same manner, be previously enrolled, examined, and signed; and shall be presented in the same manner, and by the same committee, as provided in the cases of bills.

11. When the Senate and House of Representatives shall judge it proper to make a joint address to the President, it shall be presented to the

in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

12. When a bill or resolution which shall have passed in one House is rejected in the other, notice thereof shall be given to the House in which the same shall have passed.

13. When a bill or resolution which has been passed in one House shall be rejected in the other, it shall not be brought in during the same session, without a notice of ten days, and leave of two-thirds of that House in which it shall be renewed.

14. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

15. After each House shall have adhered to their disagreement, a bill or resolution shall be lost.

16. No bill that shall have passed one House shall be sent for concurrence to the other on either of the three last days of the session.

17. No bill or resolution that shall have passed the House of Representatives and the Senate, shall be presented to the President of the United States for his approbation on the last day of the session.

18. When bills which have passed one House are ordered to be printed in the other, a greater number of copies shall not be printed than may be necessary for the use of the House making the order.

19. No spirituous liquors shall be offered for sale, or exhibited, within the Capitol, or on the public grounds adjacent thereto.

QUESTIONS OF ORDER.

DECEMBER 14, 1838.

Petitions for the abolition of slavery and the slave trade in the District of Columbia; for the abolition of the slave trade in the States; and against the annexation of any new State to the Union of these States whose constitution shall tolerate slavery, were presented by Mr. Calhoun of Massachusetts, viz :

From ladies of South Hadley, in the State of Massachusetts;

From sundry male citizens of South Hadley, in the State of Massachusetts;

From sundry citizens of Southampten, in the county of Hampshire, in the State of Massachusetts;

From sundry citizens of South Wilbraham, in the county of Hampshire in the State of Massachusetts;

From sundry women of North Brookfield, in the State of Massachusetts.

Mr. Wise objected to receiving these petitions.

The Speaker decided that the said petitions were embraced by the order of the House of the 12th instant, which provided "that every petition, memorial, resolution, proposition, or paper, touching or relating in any way, or to any extent whatever, to slavery, as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table, without being debated, printed, or referred;" and that, on the "presentation" of said petitions, the preliminary question that they be received cannot, under the said order of the 12th instant, be entertained; but that "upon presentation thereof," under the said order, the said petitions would lie on the table.

From this decision Mr. Wise took an appeal to the House.

And, after debate,

The previous question was moved by Mr. Taylor; and, being decided by a majority of the members present,

The said previous question was put, viz : Shall the main question now put?

And passed in the affirmative.

The said main question was then put, viz : Shall the decision of the Chair stand as the judgment of the House?

And passed in the affirmative, { Yeas, 15.
 { Nays, 5.

DECEMBER 17, 1838.

A motion was made by Mr. Fry, that the rules in relation to the order of business be suspended, for the purpose of affording him an opportunity to move a resolution; which was read, and is as follows, viz :

Resolved, That the President of the United States be requested to communicate to this House (if not incompatible with the public interest) whether, since the commencement of the present session of Congress, any call has been made upon the Executive department of this Government, by the Governor of Pennsylvania, for an armed force of United States troops; and what (official) correspondence, if any, has taken place between him and the Government of said State, in relation to said call; and whether any arms, powder, ball or buckshot, or other munitions of war, have been furnished by the United States to any of the troops in Pennsylvania recently called out by order of the Executive of that State.

And on the question, Shall the rules be suspended for the purpose aforesaid?

It passed in the affirmative, (two-thirds voting therefor,) { Yeas, 138,
Nays, 55.

The said resolution was then submitted, and again read: when,

At the instance of Mr. Cushing, it was modified by the mover, by adding thereto the following:

"And whether any officer of the United States instigated or participated in certain late riotous proceedings in the State of Pennsylvania, as alleged in the proclamation of the Governor of said State; and what measures, if any, the President has taken to investigate and punish the said acts; and whether any such officer still remains in the service of the United States."

And whilst the question on agreeing to said resolution was under debate, Mr. Naylor was called to order by the Speaker, who decided that his remarks were irrelevant to the question before the House, and in violation of the rule which declares that a member, in debate, "shall confine himself to the question under debate."

Mr. Naylor thereupon took his seat; and objection being made to his proceeding in his speech,

A motion was made by Mr. Wise that Mr. Naylor have leave to proceed;

And the question being put, it passed in the affirmative.

DECEMBER 20, 1838.

Mr. John Quincy Adams presented a petition of Jacob Chase and others, legal voters of Hudson, in the county of Hillsborough, in the State of New Hampshire, praying the abolition of slavery in the District of Columbia and in Florida; to prohibit the slave trade between the States; and that no new State may be admitted into the Union whose constitution tolerates slavery; and, further, that their petition may be referred to a select committee, before whom they may be heard in person or by counsel.

Mr. Adams moved that so much of said petition as prays that the petitioners may be heard in person or by counsel may be granted.

The Speaker decided that the said motion was not in order, and that the petition was embraced in the order of the House of the 12th instant, which directs "that every petition, memorial, resolution, proposition, or paper, touching or relating in any way, or to any extent whatever, to slavery as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table without being debated, printed, or referred;" and that said memorial would be laid on the table without further action thereon.

From this decision Mr. Adams took an appeal to the House;
And the question was put, Shall the decision of the Chair stand as a judgment of the House?

And passed in the affirmative, { Yeas, 18.
 { Nays, 1

DECEMBER 20, 1838.

Mr. John Quincy Adams presented the undermentioned petitions, which severally pray for the abolition of slavery in the District of Columbia and in the Territories of the United States, and to prohibit the slave trade between the States; and, further, that their petitions may be referred to a select committee, before whom they may be heard in person or by counsel, viz:

From Silas Morton and 87 other male and female inhabitants of Otfield and Raymond, in the county of Cumberland, in the State of Maine.

From S. Marsh and other inhabitants of the town of Enfield, in the county of Tompkins, in the State of New York.

From B. S. Halsey and 321 other inhabitants of the town of Ithaca, in the county of Tompkins, in the State of New York.

From Spencer Shoemaker and 81 other male and female inhabitants of Horsham township, in the county of Montgomery, in the State of Pennsylvania.

From Beta Hotchkiss and 56 other male and female inhabitants of Watertown, in Litchfield county, in the State of Connecticut.

From Hannah H. Smith and 300 other women of Glastonbury, in the county of Hartford, in the State of Connecticut.

From E. L. Preston and 109 other men and women of the town of Brooklyn, in the county of Windham, in the State of Connecticut.

From Benjamin G. Willing and other citizens, male and female, of the town of Milton, in the county of Strafford, in the State of New Hampshire.

From Thomas Thatcher and 59 other citizens of the town of Thompson, in the State of Connecticut.

From Oliver Hale and 45 other inhabitants of the town of Glascock, in the county of Hartford, in the State of Connecticut.

From Abby Sanford and other women of East Bridgewater, in the county of Plymouth, in the State of Massachusetts.

Mr. Adams, in presenting each of the before-mentioned petitions, stated that so much of said petitions as prays that the petitioners may be heard in person or by counsel, be granted.

The Speaker decided that the motion was not in order, and that the petitions were embraced in the order of the House of the 12th March, which directs "that every petition, memorial, resolution, proposition, paper, touching or relating in any way, or to any extent whatever, to slavery as aforesaid, or to the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid on the table, and being debated, printed, or referred;" and that the said petitions were laid on the table without further action thereon.

DECEMBER 22, 1838.

The House resumed the consideration of the petition of Abby Sanford and other women of East Bridgewater, in the county of Plymouth.

State of Massachusetts, praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with, the republic of Hayti.

The question recurred on the motion made by Mr. John Quincy Adams on the 20th instant, that the said petition be referred to the Committee on Foreign Affairs, with instruction to consider and report thereon.

A division of the question on this motion having been called by Mr. Dromgoole on the 20th, the question was put on so much thereof as proposed that the petition be referred to the Committee on Foreign Affairs;

And passed in the affirmative.

The question recurred on the remainder of said motion, viz: the instructions to the committee "to consider and report thereon."

And whilst this question was under debate, Mr. John Quincy Adams was called to order by the Speaker, who decided that his remarks were irrelevant to the question before the House, and in violation of the rule of the House which declares that a member in debate "shall confine himself to the question under debate."

Objection being made to Mr. Adams's proceeding further in his speech, by Mr. Bynum,

A motion was made by Mr. Briggs that Mr. Adams have leave to proceed;

And the question being put on this motion,

It passed in the affirmative,	{ Yeas,	114,
	{ Nays,	47.

JANUARY 7, 1839.

The consideration of the petition of inhabitants of West Randolph, in the county of Orange, and State of Vermont, praying Congress to recognise, in the usual form and manner, and to enter into the customary international relations with the republic of Hayti, presented by Mr. Slade on the 20th of December ultimo, and laid on the table to be taken up in its order, under the 51st rule of the House, being called for by Mr. Slade:

The Speaker decided that, according to the 51st rule, which provides that petitions, memorials, and other papers shall not be debated on the day of their being presented, "nor on any day assigned by the House for the receipt of petitions after the first thirty days of the session, unless where the House shall direct otherwise," the said petition could not be considered at this time, this being a day assigned by the House for the receipt of petitions, (the first thirty days of the session having expired,) unless directed by a vote of the House.

A motion was then made by Mr. Slade, that the House do proceed to the consideration of said petition;

And the question being put,

It passed in the negative.

JANUARY 7, 1839.

Mr. John Quincy Adams offered to present a petition, and made a "statement of the contents thereof."

Objection was made by Mr. Dromgoole to receiving the same, on the ground that the same was not respectful to the House.

And on the question, Shall the petition be received?

It passed in the negative, { Yeas, 25.
Nays, 115.

And so the petition was not received.

Mr. Adams moved that the petition refused to be received be entered on the Journal.

The Speaker decided that the petition not being in the possession of the House, the motion was not in order.

JANUARY 17, 1839.

The House resumed the consideration of the message of the President of the United States of the 8th of December, communicated on the 10th. in relation to the recently discovered default of Samuel Swartwout, late collector of the customs at the port of New York.

The question then again recurred on the amendment moved by Mr. Thomas to the amendment moved by Mr. Garland of Virginia, to strike out "ballot," and insert "viva voce;" when

Mr. Wise made a point of order; and stated his point to be, that it was not in order to move the amendment to the amendment, viz: to strike out "ballot" and insert "viva voce," because, by the rule of the House, "all committees shall be appointed by the Speaker, unless otherwise specially directed by the House; in which case they shall be appointed by ballot."

The Speaker decided that it was in order to move the amendment; that the point raised might be "a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress, as if it were against order;" that if the amendment to the amendment be agreed to by a majority, and the amendment as amended be incorporated into the resolution by a majority, the resolution, in that form, would require, under the 119th rule, which provides, "nor shall any rule be suspended except by a vote of at least two-thirds of the members present," a vote of two-thirds to pass the same.

From this decision, (that the motion to amend the amendment was in order,) Mr. Wise took an appeal to the House.

And, after debate, the previous question was called by Mr. Harris and being demanded by a majority of the members present, the question was put on ordering the main question, and decided in the affirmative.

The main question was then stated, to wit: Shall the decision of the Chair stand as the judgment of the House? when

Mr. Wise withdrew his said appeal.

JANUARY 21, 1839.

STATE OF VERMONT.

Resolved by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives be requested, to use their utmost efforts to prevent the annexation of Texas to the United States, and to procure the abolition of slavery and the slave trade in the District of Columbia and the Territories of the United States, and the slave trade laws the several States and Territories of the Union.

Resolved, That the adoption by the House of Representatives of the United States, on 21st December last, [1837,] of the resolution by which "all petitions, memorials, and papers

touching the abolition of slavery, or the buying, selling, or transferring of slaves, in any State, District, or Territory of the United States," were "laid upon the table without being debated, printed, read, or referred," was a daring infringement of the right of the people to petition, and a flagrant violation of the constitution of the United States: and we do, in the name of the people of Vermont, protest against the passage of the same, or any similar resolution, by the present or any future Congress of the United States.

Resolved, That our Senators in Congress be instructed, and our Representatives requested, to present the foregoing resolutions to their respective Houses, and use their influence to carry the same into effect.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolutions to the President of the United States, and to each of our Senators and Representatives in Congress.

A motion was made by Mr. Everett, that the said resolutions be read, printed, and committed to the Committee of the Whole House on the state of the Union.

The Speaker decided that the resolutions came within the order of the House of the 12th of December ultimo, which directs "that every petition, memorial, resolution, proposition, or paper, touching or relating in any way, or to any extent whatever, to slavery as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table, without being debated, printed, or referred;" and that the said resolutions of the Legislature of the State of Vermont would be laid on the table accordingly, without further action thereon, and without being debated, printed, or referred.

From this decision Mr. Everett took an appeal to the House.

And, after debate,

The previous question was moved by Mr. Bronson; when,

A motion was made by Mr. Parris, that the appeal do lie on the table.

A motion was then made by Mr. Morgan, at twenty-five minutes past four o'clock, that the House do adjourn; which was decided in the negative.

A motion was then made by Mr. Morgan, that there be a call of the House; which was also decided in the negative.

And then, at half-past four o'clock, the House adjourned until tomorrow, twelve o'clock meridian.

Continued—FEBRUARY 4, 1839.

The House resumed the consideration of the resolutions of the Legislature of the State of Vermont, presented by Mr. Everett, on the 21st of January ultimo.

The question recurred on the motion made by Mr. Parris, that the appeal from the decision of the Speaker, in relation to the motion made by Mr. Everett, on the 21st of January, that said resolutions be read, printed, and committed to the Committee of the Whole House on the state of the Union, do lie on table; when

Mr. Parris withdrew said motion; and then

Mr. Bronson withdrew the motion for the previous question, made by him, and pending on the 21st January.

And it now appearing that a part of said resolutions of the Legislature of the State of Vermont did not relate to the subject of slavery within the States and Territories of the United States, the Speaker modified his decision, made on the 21st January ultimo, and decided that so much of said resolutions as relates to the "abolition of slavery and the slave trade

in the District of Columbia and the Territories of the United States, and the slave trade between the several States and the Territories of the Union," came within the order of the House of the 12th December ultimo, which directs "that every petition, memorial, resolution, proposition or paper, touching or relating, in any way, or to any extent whatever, to slavery as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid upon the table without being debated, printed, or referred;" and that so much of the said resolutions of the Legislature of the State of Vermont would be laid on the table accordingly, without further action thereon, and without being debated, printed, or referred.

The question was stated, Shall the decision of the Chair stand as the judgment of the House?

A motion was made by Mr. Bronson, that the said appeal do lie on the table;

And the question being put on this motion,

It passed in the affirmative, {	Yeas,	. . . . .	121
	Nays,	. . . . .	4





